

MONTANA DEPARTMENT OF COMMERCE



PROFESSIONAL & OCCUPATIONAL LICENSING BUREAU

STATE DOCUMENTS COLLECTION

APR 09 2003

MONTANA STATE LIBRARY
3335 E. CH. AVE.
HELENA, MONTANA 59601

FOR THE
BIENNIUM ENDING
JUNE 30, 1983

1424 NINTH AVENUE

HELENA, MT 59620

MONTANA STATE LIBRARY



3 0864 1001 9035 7

DEPARTMENT OF COMMERCE



TED SCHWINDEN, GOVERNOR

1424 9TH AVENUE
CAPITOL STATION

STATE OF MONTANA

HELENA, MONTANA 59620

June 30, 1984

The Honorable Ted Schwinden, Governor
State of Montana
State Capitol
Helena, Montana 59620

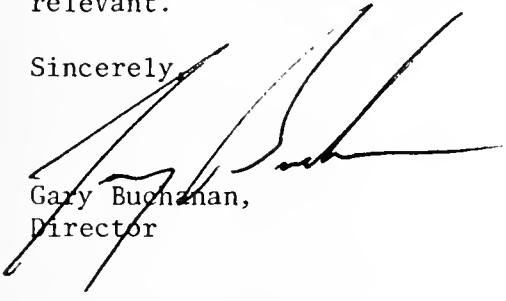
Dear Governor Schwinden:

In accordance with the requirements of Sections 37-1-106, MCA and 2-7-102, MCA, there is herewith transmitted to you and members of the 49th Legislature, the biennial report for the biennium ending June 30, 1983 of the Professional and Occupational Licensing Bureau, Department of Commerce.

This report has been prepared by the Bureau in cooperation with the 30 professional and occupational licensing boards.

This biennial report contains a summary of board activities; board goals and objectives; a detailed breakdown of board revenues and expenditures; statistics illustrating board activities concerning licensing; summary of complaints received and disposition; number of licenses revoked or suspended; legislative or court action affecting the boards; and other information the Department or Board considers relevant.

Sincerely,



Gary Buchanan,
Director

GB/mlg

Digitized by the Internet Archive
in 2010 with funding from
Montana State Library

<http://www.archive.org/details/biennialreportof1983mont>

COMPILER

MARY LOU GARRETT

TYPIST

ELOIS MYERS

TABLE OF CONTENTS

	PAGE
ARCHITECTS, BOARD OF.....	1
BARBERS, BOARD OF.....	5
CHIROPRACTORS, BOARD OF.....	9
COSMETOLOGISTS, BOARD OF.....	13
DENTISTRY, BOARD OF.....	17
STATE ELECTRICAL BOARD.....	23
HEARING AID DISPENSERS.....	27
HORSE RACING, BOARD OF.....	31
LANDSCAPE ARCHITECTS, BOARD OF.....	35
MEDICAL EXAMINERS, MONTANA STATE BOARD OF.....	36
MORTICIANS, BOARD OF.....	44
NURSING, BOARD OF.....	48
NURSING HOME ADMINISTRATORS, BOARD OF.....	54
OPTOMETRISTS, BOARD OF.....	57
PHARMACISTS, BOARD OF.....	62
PHYSICAL THERAPY EXAMINERS, BOARD OF.....	71
PLUMBERS, BOARD OF.....	74
PRIVATE INVESTIGATORS.....	80
PROFESSIONAL ENGINEERS & LAND SURVEYORS, BOARD OF.....	83
PSYCHOLOGISTS, BOARD OF.....	89
PUBLIC ACCOUNTANTS, BOARD OF.....	92
RADIOLOGIC TECHNOLOGISTS, BOARD OF.....	97
REALTY REGULATION, BOARD OF.....	101
SANITARIANS, BOARD OF.....	106
SPEECH PATHOLOGISTS & AUDIOLOGISTS, BOARD OF.....	109
VETERINARIANS, BOARD OF.....	112
WATER WELL CONTRACTORS, BOARD OF.....	116

BOARD OF ARCHITECTS

I. GOALS AND OBJECTIVES

Goals: To promulgate and maintain a standard of competence in the practice of architecture in Montana consistent with the interests of its citizens in providing for health, safety, and welfare, and to protect the public from unprofessional, improper, unauthorized, and unqualified practitioners.

Objectives: Renew all valid licenses annually and process all qualified candidates for licensing. Conduct testing session for the Architectural Registration Examination. Process applicants for reciprocal licensing. Participate in state, regional, and national meetings, workshops, and committees to coordinate the practice of architecture in Montana with other states and territories. To ensure the qualified Montana architect ready access to other states by means of reciprocity. To investigate all legitimate complaints of incompetent or illegal practice, and to pursue all such complaints through legal means when circumstances so justify.

II. SUMMARY OF BOARD ACTIVITIES

Held five board meetings in FY 82 for a total of 20 board meeting days and held four board meetings in FY 83 for a total of 16 board meeting days. Held two examinations in FY 82 for a total of five examination days and held two examinations in FY 83 for a total of six examination days. In FY 82 one proposed rule change was noticed and in FY 83 it was adopted. In FY 83 one proposed rule change was noticed and adopted. In FY 83 the Board worked with the Attorney General on up-dating the Architects Board statutes. The legislation was presented to the 1983 Legislature and passed. In FY 83 the Board began administering the new ARE examination.

III. STATISTICS ILLUSTRATING BOARD ACTIVITIES CONCERNING LICENSING

Applications Received by Category:	<u>FY 82</u>	<u>FY 83</u>
Reciprocity	37	31
Examination	24	10

Examinations Given By Category (Passing):

Qualifying Test	4 (3)	NA
Section A - Professional Examination	47 (27)	NA
Section B - Professional Examination	25 (18)	18 (8)
ARE	NA	28 (10)

New Licenses Granted by Category:

Reciprocity	43	33
Examination	19	18

BOARD OF ARCHITECTS

FY 82FY 83

Licenses Renewed by Category:

Architects	704	741
------------	-----	-----

Total Licensees at FY End by Category:

Architects	713	746
------------	-----	-----

IV. SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION

<u>TYPE OF COMPLAINT</u>	<u>DISPOSITION</u>		
No seal on plans	Letter to defendant- defendant responded that the job was remodeling - no violation-closed	1	0
Listed in telephone directory under archi- tects	Letter to defendant- advising that they cannot advertise or offer architectural services unless licensed - defendants agreed not to adver- tise or offer services - FY 81 cases closed - FY 82 case remains open	2	1
Listed as designer on plans submitted by DOA - person not licensed as an archi- tect	Pending	0	1
Non-licensed person practicing architecture	Pending	0	3

V. NUMBER OF LICENSES REVOKED OR SUSPENDED BY CATEGORY OR
OTHER DISCIPLINARY ACTION

Revoked	0	0
Suspended (Creager)	0	1
Other disciplinary action	0	0
Dropped failure to pay renewal fees	13	26

VI. FISCAL INFORMATION

REVENUE:

Penalty fee	\$	\$ 420
Architect Original	1,280	880
Architect Renewal	14,100	14,400
Architect Reciprocity	1,480	1,550
Architect Exam	3,565	3,519
Architect Re-Exam	2,975	3,554
Architects Roster	35	200
TOTAL	\$23,435	\$24,523

BOARD OF ARCHITECTS

	<u>FY 82</u>	<u>FY 83</u>
EXPENDITURES:		
PERSONAL SERVICES:		
Hourly Wages-employees	\$6,858	\$10,441
Other Compensation-board	1,425	900
Employee Benefits	1,391	2,192
TOTAL PERSONAL SERVICES	<u>\$9,674</u>	<u>13,533</u>
CONTRACTED SERVICES:		
Con. & Prof. Services	\$ 518	
Data Processing Services	9	28
Legal Fees & Court Costs	1,187	799
Printing-Contracted	275	285
Written Exam Fees	4,991	4,892
Private Legal Counsel	1,700	0
TOTAL CONTRACTED SERVICES	<u>\$8,680</u>	<u>\$6,004</u>
SUPPLIES & MATERIALS:		
Office	\$ 209	\$ 113
Photo & Reproduction	110	0
Printing-Duplicating	202	0
Books	8	81
Food	4	4
Building Materials	8	0
TOTAL SUPPLIES & MATERIALS	<u>\$ 541</u>	<u>218</u>
COMMUNICATIONS:		
Telephone-Long Distance Usage	\$ 75	\$ 97
Postage & Mailing	1,071	1,145
Telephone--STS Usage	167	211
TOTAL COMMUNICATIONS	<u>\$1,313</u>	<u>\$1,453</u>
TRAVEL:		
In State Personal Car Mileage	\$ 849	\$ 709
In State Commercial Trans.	337	21
In State State Motor Pool	0	0
In State Other	23	0
In State Meals	373	283
In State Lodging	309	438
Out of State Commercial Trans.	1,343	1,257
Out of State Other	43	0
Out of State Meals	381	368
Out of State Lodging	909	1,256
Out of State Car Rentals	68	0
TOTAL TRAVEL	<u>\$4,635</u>	<u>\$4,332</u>
RENT:		
Meeting Rooms	\$ 250	\$ 300
Office	0	617
TOTAL RENT	<u>\$ 250</u>	<u>\$ 917</u>
REPAIR & MAINTENANCE:		
Office Equipment	\$ 60	\$ 46
TOTAL REPAIR & MAINTENANCE	<u>\$ 60</u>	<u>\$ 46</u>

BOARD OF ARCHITECTS

	<u>FY 82</u>	<u>FY 83</u>
OTHER EXPENSES:		
Dues	\$ 600	\$ 850
Registration Fees for Training	370	533
Other	0	53
TOTAL OTHER EXPENSES	\$ 970	\$ 1,436
 TOTAL OPERATING EXPENSE	 \$16,449	 \$14,406
 EQUIPMENT:		
Office	\$ 157	\$ 0
TOTAL OFFICE EQUIPMENT	\$ 157	\$ 0
 TRANSFER ADMINISTRATIVE COSTS	 \$ 3,576	 \$ 3,708
 TOTAL ALL EXPENDITURES	 \$29,856	 \$31,647
 TOTAL APPROPRIATION	 \$30,068	 \$34,844
 UNEXPENDED APPROPRIATION	 \$ 212	 \$ 3,196
 CASH BALANCE - FYE	 \$51,084	 \$47,387

VII. BOARD MEMBERSHIP DURING BIENNIUM

Bonnie B. Donohue, 1014 Durango St., Gt. Falls, MT	7/1/85
Jerrell Ballas, AIA, Box 7545, Missoula, MT	3/27/85
Martin W. Crennen, AIA, 1 N. Last Chance Gulch, Helena MT	3/27/82
George C. Page, AIA, Box 3005, Great Falls, MT	3/27/84
Harold C. Rose, 109-B Gallatin Dr., Bozeman, MT	3/27/83
Robert C. Utzinger, MSU, School of Arch., Bozeman, MT	3/27/86

VIII. LEGISLATIVE OR COURT ACTION AFFECTING THE BOARD

Chapter 490, L. 1983, An act generally revising the laws creating the state Board of Architects and relating to the licensure of architects by the state; granting the Board the authority to adopt rules.

IX. RECOMMENDATIONS FOR ADMINISTRATION OF PROGRAM

Continue to review and revise laws, rules and regulations to better comply with the public needs. To review the possibilities of mandatory continuing education requirements for renewal of license. To develop a method for architectural office and site inspections.

BOARD OF BARBERS

I. GOALS AND OBJECTIVES

Goals: To assure the public that all barbers meet minimum standards of competency, knowledge and training; and to assure the public that all barbershops are operated and maintained in a sanitary condition. To assure the public that all barber schools have a curriculum, facilities and personnel to provide basic barbering education and training to students. To exam applicants for licensing, to inspect barber shops and administer law, rules and regulations pertaining to barbers, shops and schools.

Objectives: Hold four examinations for approximately 30 applicants per examination, inspect all barber shops and schools at least once per year; administer rules and regulations pertaining to licensing.

The board of barbers issues licenses to qualified barbers and to barber shops and schools, conducts shop inspections for sanitation compliance.

II. SUMMARY OF BOARD ACTIVITIES

Ensures the public that all barbers are properly licensed and comply with the laws concerning the sanitation laws of the state.

Examine all barber applicants to ensure the public that they are qualified to be a barber.

Inspected all barber shops to be sure they meet the sanitation requirements for the protection of the public health, safety and welfare.

III. STATISTICS ILLUSTRATING BOARD ACTIVITIES CONCERNING LICENSING

Applications received by category

	FY 82	FY 83
Apprentice	58	32
Registered	75	70
Shops	37	50
TOTAL	170	152

Examinations Given by Category (Passing)

Apprentice	56 (56)	69 (67)
Registered	70 (68)	55 (54)
TOTAL	126(124)	124(121)

New Licenses Granted by Category

Apprentice	56	67
Registered	68	55
Shop	28	31
TOTAL	152	153

BOARD OF BARBERS

FY 82

FY 83

Licenses Renewed by Category

Apprentice	0	1
Registered	620	506
Shops	276	201
TOTAL	896	708

Total Licensees at FY End by Category

Apprentice	39	27
Registered	688	561
Shops	304	232
TOTAL	1,031	820

IV. SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION

<u>TYPE OF COMPLAINT</u>	<u>DISPOSITION</u>	
Complaint by student against school owner - was kicked out of school and lost tuition.	Board met with student and school owner. Student enrolled in another school.	1
Apprentice barber operating out of her home by herself.	Board investigated, informed her of the law and she quit.	1
Unlicensed barber working.	Letter written, license obtained.	3
Unlicensed barber school.	Turned over to county attorney - pending.	1

V. NUMBER OF LICENSES REVOKED OR SUSPENDED BY CATEGORY OR OTHER DISCIPLINARY ACTION

Revoked	0	0
Suspended	0	0
Other disciplinary action	0	0
Failure to pay renewal fee		
Shops	23	47
Barbers	26	52

VI. FISCAL INFORMATIONREVENUE:

Barber College/Orig./Renew	\$ 300	\$ 65
Barber Penalty	575	835
Apprentice Orig./Renew	10	15
Barber Shop/Renew	3,725	5,145
Barber Orig./Renew	8,680	10,370
Copies of Documents	15	5
Barber Apprentice Exam	896	2,352
Barber Exam	1,596	1,519
Barber Shop Inspection	1,225	1,100
TOTAL REVENUE	\$17,022	\$21,406

BOARD OF BARBERS

	<u>FY 82</u>	<u>FY 83</u>
EXPENDITURES:		
PERSONAL SERVICES:		
Salaries	\$ 3,610	\$ 4,890
Other Compensation	2,038	2,050
Employee Benefits	743	984
TOTAL PERSONAL SERVICES	\$ 6,391	\$ 7,924
OPERATING EXPENSES:		
CONTRACTED SERVICES:		
Legal Fees & Court Costs	\$ 61	0
Printing	189	417
Written Examination Fees	273	255
TOTAL CONTRACTED SERVICES	\$ 523	\$ 672
SUPPLIES & MATERIALS:		
Educational	\$ 40	\$ 184
Office	124	0
Photo & Reproduction	56	0
Printing	80	0
Books & Reference Materials	101	0
TOTAL SUPPLIES & MATERIALS	\$ 321	\$ 184
COMMUNICATIONS:		
Telephone - Long Distance Usage	\$ 132	\$ 230
Postage & Mailing	399	430
Telephone - STS Usage	83	43
TOTAL COMMUNICATIONS	\$ 614	\$ 703
TRAVEL:		
In-State Personal Car Mileage	\$ 2,790	\$ 2,838
In-State Meals	734	655
In-State Lodging	561	567
TOTAL TRAVEL	\$ 4,085	\$ 4,060
RENT:		
Meeting Rooms	\$ 354	\$ 444
Buildings	0	411
TOTAL RENT	\$ 354	\$ 855
REPAIR & MAINTENANCE:		
Maintenance Contracts	\$ 58	\$ 38
Building & Grounds	0	120
TOTAL REPAIR & MAINTENANCE	\$ 58	\$ 158
OTHER EXPENSES:		
Dues	\$ 0	\$ 50
Registration fees	0	3
Freight & Express	13	21
OTHER EXPENSES - TOTAL	\$ 13	\$ 74
TOTAL OPERATING EXPENSE	\$ 5,967	\$ 6,709
EQUIPMENT:		
Office	\$ 0	\$ 206
TOTAL EQUIPMENT	\$ 0	\$ 206
TRANSFER ADMINISTRATIVE COSTS	\$ 2,858	\$ 2,968

BOARD OF BARBERS

	FY 82	FY 83
TOTAL ALL EXPENDITURES	\$15,216	\$17,807
TOTAL APPROPRIATION	\$22,652	\$24,850
UNEXPENDED APPROPRIATION	\$ 7,435	\$ 7,044
CASH BALANCE - FYE	\$24,159	\$27,855

VII. BOARD MEMBERSHIP DURING BIENNIUM

Lawrence Sandretto, Box 353, Red Lodge, MT	7/1/86
Richard Riley, 600 Central Plaza, Great Falls, MT	7/1/84
Jim Allen, 2920 Garfield, Missoula, MT	7/1/82
Eugene Thomas, 200 N. Main, Anaconda, MT	7/1/85
Ed Johnston, 403 N. Ewing, Helena, MT (Deceased)	10/1/84

VIII. LEGISLATIVE OR COURT ACTION AFFECTING THE BOARD

House Bill 886 - Changed required hours in barber school from 1500 to 2000. Gave board authority to examine and license instructors. Re-defined the definition of barbering.

IX. RECOMMENDATIONS FOR ADMINISTRATION OF PROGRAM

Require continuing education for chemical applications on the hair and scalp. Automate renewal process by use of Word Processor.

BOARD OF CHIROPRACTORS

I. GOALS AND OBJECTIVES

Goals: To regulate the chiropractic profession in Montana by examining and licensing only those who meet statutory qualifications and to assure the public of professional competence by monitoring all licensee's in the chiropractic field.

Objectives: To provide investigations on complaints in an expedient and thorough manner. To work with the Chiropractic Association's Ethics Committee on unprofessional conduct. To provide daily assistance to all licensees and the public. To hold a minimum of two examinations a year, and to upgrade the examination procedures in 1983-1984. To continue working relationship with Worker's Compensation Division and insurance companies regarding chiropractic health care. To continue to upgrade the chiropractic law and rules to further protect the public from unprofessional and unqualified persons.

II. SUMMARY OF BOARD ACTIVITIES

The board provided for changes in the chiropractic law to upgrade the examination scores and provide a late penalty fee. Working with insurance companies and Ethics Committee has reduced number of complaints since the board has gone on record to all in-state licensees regarding unprofessional conduct. Assisted law enforcement agencies in several matters of persons performing chiropractic without a license.

III. STATISTICS ILLUSTRATING BOARD ACTIVITIES CONCERNING LICENSING

	<u>FY 82</u>	<u>FY 83</u>
Applications received by category	<u>43</u>	<u>28</u>
Examinations Given by Category (Passing)	44	15
New Licenses Granted by Category	44	15
Licenses Renewed by Category	205	202
Total Licensees at FY End by Category	249	217

IV. SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION

<u>TYPE OF COMPLAINT</u>	<u>DISPOSITION</u>
One complaint received from ex-wife of out-of-state licensee regarding his moral character and wanted board to revoke his license in Montana.	No action taken as 1 Board stated this was a personal matter between the parties and did not affect his licensure status in Montana.

BOARD OF CHIROPRACTORS

<u>TYPE OF COMPLAINT</u>	<u>DISPOSITION</u>	<u>FY 82</u>	<u>FY 83</u>
Two complaints received on unlicensed person performing chiropractic.	Board investigated and found no one by the name supplied performing chiropractic, matter closed in one case, other case referred to district court.	2	
One request for assistance to an attorney requesting cooperation of a license regarding a Worker's Comp. insurance claim.	Board contacted licensee and discussed problem, and informed licensee to cooperate but did not take any direct action as this was only a request for assistance and no official complaint was filed.		1
One complaint pertained to filing improper Worker's Compensation and insurance claims.	Met with all parties, decided chiropractor was made a "patsy" and board exonerated chiropractor of the charge.		1
Four complaints were in regards to excessive fees and office procedures.	Three referred to Ethics Committee and letter of reprimand issued in one case. Three were closed due to lack of knowledge on patients part.		4

V. NUMBER OF LICENSES REVOKED OR SUSPENDED BY CATEGORY OR OTHER DISCIPLINARY ACTION

Revoked	0	0
Suspended	0	0
Other disciplinary action	0	0
Failure to pay renewal fee	3	8

VI. FISCAL INFORMATION

REVENUE:

Chiropractor Application	\$ 3,100	\$ 3,100
Chiropractor Renewal	6,860	10,235
Chiropractor Restoration	107	15
Chiropractor Re-Examination	25	225
TOTAL REVENUE	\$10,092	\$13,575

BOARD OF CHIROPRACTORS

	<u>FY 82</u>	<u>FY 83</u>
EXPENDITURES:		
PERSONAL SERVICES:		
Salaries	\$ 3,172	\$ 5,250
Other Compensation - Board	1,175	1,025
Employee Benefits	586	939
TOTAL PERSONAL SERVICES	\$ 4,933	\$ 7,214
OPERATING EXPENSES:		
CONTRACTED SERVICES:		
Data Processing Fees	\$ 0	\$ 275
Consult. & Prof. Services	36	719
Legal Fees & Court Costs	168	0
Printing - Contracted	378	327
TOTAL CONTRACTED SERVICES	\$ 582	\$ 1,321
SUPPLIES & MATERIALS:		
Office Supplies	\$ 69	\$ 27
Photo & Reproduction	25	0
Printing - Publ. & Graphics	62	15
Books	7	41
Building Materials	16	0
TOTAL SUPPLIES & MATERIALS	\$ 179	\$ 83
COMMUNICATIONS:		
Telephone Long Distance	\$ 93	168
Telegraph & Teletype	8	0
Postage & Mailing	357	467
Telephone - STS Usage	33	107
TOTAL COMMUNICATIONS	\$ 491	\$ 742
TRAVEL:		
In-State Personal Car Mileage	\$ 1,115	\$ 829
In-State Commercial Transportation	581	302
In-State Motor Pool	80	0
In-State Meals	561	372
In-State Lodging	682	532
Out-of-State Meals		114
Out-of-State Lodging		325
TOTAL TRAVEL	\$ 3,019	\$ 2,474
RENT:		
Meeting Rooms	\$ 91	\$ 74
Buildings		206
TOTAL RENT	\$ 91	\$ 280
REPAIR & MAINTENANCE:		
TOTAL REPAIR & MAINTENANCE	\$ 57	\$ 81
OTHER EXPENSES:		
Dues	\$ 150	\$ 100
Subscriptions	55	0
Registration Fees	24	150
Freight	0	3
TOTAL OTHER EXPENSES	\$ 229	\$ 253
TOTAL EQUIPMENT - MEDICAL	\$ 263	\$ 220
TRANSFER ADMINISTRATIVE COSTS	\$ 1,669	\$ 1,864

BOARD OF CHIROPRACTORS

	<u>FY 82</u>	<u>FY 83</u>
TOTAL EXPENDITURES	\$11,513	\$14,532
TOTAL APPROPRIATION	\$13,522	\$14,536
UNEXPENDED APPROPRIATION	\$ 2,010	\$ 7
CASH BALANCE - FYE	\$ 1,723	\$ 149

VII. BOARD MEMBERSHIP DURING BIENNIUM

Carrol Albert, D.C., 219 2nd St. N., Gt. Falls, MT	1/9/85
C. R. Grow, D.C., 114 Main St., Wolf Point, MT	1/9/84
R. G. Glatz, P.O. Box 186, Winnett, MT	1/9/84
Lauren C. Weis, D.C., 1665A Grand Ave., Butte, MT	1/9/83
Pat Pardis, D.C., 111 Main St., Shelby, MT	1/9/86

VIII. LEGISLATIVE OR COURT ACTION AFFECTING THE BOARD

1983 Legislature proposed two bills, both of which passed. H.B. 671 - clarified the subjects on the examination and to make it discretionary for the board of chiropractors to license, without administering a clinical proficiency examination, any applicants holding a valid certificate from the National Board of Chiropractic Examiners.

H.B. 513 - provides a fee for late renewal of a chiropractor license.

IX. RECOMMENDATIONS FOR ADMINISTRATION OF PROGRAM

1. Initiate reciprocal agreement with the State of North Dakota.
2. Continue to have a member present at Federation of Chiropractic Licensing Boards meetings which will help keep board abreast of changing chiropractic methods and exam procedures.
3. Define "manipulation" as it pertains to chiropractic in the law during next legislative session.

BOARD OF COSMETOLOGISTS

I. GOALS AND OBJECTIVES

Goals: To protect the health, safety and welfare of the public; to promote the professional and ethical standards of cosmetology and electrology.

Objectives: To continue to improve and revise the laws and rules governing cosmetology whenever appropriate, to meet the best interest of the consuming public along with a continued awareness of upgrading the professional standards of the practitioners.

II. SUMMARY OF BOARD ACTIVITIES

To continue their study of improving education and examinations for instructors and students of cosmetology, thereby ensuring that only qualified persons may teach and practice cosmetology in Montana.

III. STATISTICS ILLUSTRATING BOARD ACTIVITIES CONCERNING LICENSING

Applications received by category

	FY 82	FY 83
Student & Instructor	362	411
Reciprocal	37	28
Salons	126	118
Registered Students	483	418
Reciprocal Electrologists	2	1
Electrolysis Salons	0	4
Schools	1	3

Examinations Given by Category (Passing)

Students/Instructors	
FY82-Students (348) Instructors (14)	362 (284) 411 (332)
FY83-Students (411) Instructors (7)	

New Licenses Granted by Category

Salons	112	108
Manager Operator Licenses	315	349
Instructors	5	4
Schools	1	3

Licenses Renewed by Category

Manager Operator (2-year license)	1,127	2,857
Salons	763	756
Instructors	89	99
Schools	13	14
Electrologist Licensees	14	18
Electrolysis Salons	8	14

Total Licensees at FY End by Category

Schools	13	14
Salons	699	865
Manager Operator (2-year license)	1,411	3,124
Instructors	89	103
Electrologists	14	20
Electrolysis Salons	8	15

IV. SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION

<u>TYPE OF COMPLAINT</u>	<u>DISPOSITION</u>	<u>FY 82</u>	<u>FY 83</u>
Complaint filed against board rule which prevented students to transfer to a different school in the same city unless school licensed to operate for at least two years.	Legal interpretation requested from Dept. Attorney interpreting that the rule was a restraint of trade in violation of State & Federal Laws. (Rule deleted)	1	
Complaint letter from exam applicant alleging to distasteful & inhumane treatment during course of examination; that she failed because she was from out of state.	Letter of apology to complainant concerning conditions of the school where exam was held/but denying distasteful & inhumane treatment.	1	
Written complaint filed against school for lack of education and training criteria.	Hearing held and school closed.		1

V. NUMBER OF LICENSES REVOKED OR SUSPENDED BY CATEGORY OR OTHER DISCIPLINARY ACTION

Revoked	0	0
Suspended	0	0
Other disciplinary action	0	0

VI. FISCAL INFORMATION

REVENUE:

Temporary Licenses	\$ 847	\$ 1,316
Manager-Operator Licenses	30,768	64,113
Salons	7,643	8,645
Instructors	900	1,030
Teacher Training, Advanced Train. and schools	1,430	1,450
Duplicate Licenses	194	225
Student Registration	1,691	2,819
Penalty Fees	4,478	6,030
Reciprocal License Fees	1,750	1,725
Electrology	360	900
Student/Instructor Examinations	8,620	10,474
Salons/Schools Initial Inspections	3,145	3,255
Documents & Supplies	733	735
TOTAL REVENUE	\$62,844	\$102,718

BOARD OF COSMETOLOGISTS

	<u>FY 82</u>	<u>FY 83</u>
EXPENDITURES:		
PERSONAL SERVICES:		
Salaries	\$35,718	\$44,167
Other Compensation - board	1,313	2,650
Employee Benefits	7,104	7,857
TOTAL PERSONAL SERVICES	<u>\$37,353</u>	<u>\$54,675</u>
OPERATING EXPENSES:		
CONTRACTED SERVICES:		
Con. & Prof. Services	\$ 477	410
Data Processing Services	18	61
Legal Fees & Court Costs	396	80
Printing-Contracted	949	1,127
Written Exam Fees	557	932
TOTAL CONTRACTED SERVICES	<u>\$ 2,397</u>	<u>\$ 2,987</u>
SUPPLIES & MATERIALS		
Office	\$ 132	\$ 212
Photo & Reproduction	171	4
Printing-Duplicating	181	0
Books	0	122
TOTAL SUPPLIES & MATERIALS	<u>\$ 575</u>	<u>\$ 338</u>
COMMUNICATIONS:		
Telephone - Long Distance Usage	\$ 347	\$ 344
Postage & Mailing	1,716	2,059
Telephone - STS Usage	485	694
TOTAL COMMUNICATIONS	<u>\$ 2,549</u>	<u>\$ 3,096</u>
TRAVEL:		
In State Personal Car Mileage	\$ 1,492	\$ 2,437
In State Commercial Trans.	467	342
In State State Motor Pool	5,077	5,432
In State Other	35	12
In State Meals	2,738	3,167
In State Lodging	3,900	4,416
Out of State Commercial Trans.	2,984	1,569
Out of State Other	90	0
Out of State Meals	422	665
Out of State Lodging	711	935
TOTAL TRAVEL	<u>\$17,915</u>	<u>\$18,975</u>
RENT:		
Buildings	\$ 0	\$ 1,851
Meeting Rooms	225	651
TOTAL RENT	<u>\$ 225</u>	<u>\$ 2,502</u>
REPAIR & MAINTENANCE:		
Office Equipment	\$ 60	\$ 50
Contract		148
TOTAL REPAIR & MAINTENANCE	<u>\$ 60</u>	<u>\$ 198</u>
OTHER EXPENSES:		
Dues	\$ 100	\$ 100
Registration Fees for Train.	248	322
Freight & Express	10	0
TOTAL OTHER EXPENSES	<u>\$ 358</u>	<u>\$ 422</u>

BOARD OF COSMETOLOGISTS

	<u>FY 82</u>	<u>FY 83</u>
TOTAL OPERATING EXPENSES	\$ 24,078	\$ 28,516
EQUIPMENT:		
Office	\$ 172	\$ 533
TOTAL EQUIPMENT	\$ 172	\$ 533
TRANSFER ADMINISTRATIVE COSTS	\$ 14,508	\$ 15,542
TOTAL ALL EXPENDITURES	\$ 84,528	\$ 99,266
TOTAL APPROPRIATION	\$102,719	\$112,489
UNEXPENDED APPROPRIATION	\$ 18,191	\$ 13,223
CASH BALANCE - FYE	\$ 46,833	\$ 51,456

VII. BOARD MEMBERSHIP DURING BIENNIUM

June Baker, 504 S. Center, Miles City, MT	7/1/84
Dorothy Turner, 1248 7th Ave. N.W., Great Falls, MT	7/1/87
Jacques Romeijn, 2104 Mariposa Lane, Billings, MT	7/1/85
Carol Henderson, 215 So. 8th, Livingston, MT	7/1/85

BOARD OF DENTISTRY

I. GOALS AND OBJECTIVES

Goals: The practice of dentistry and dental hygiene is a privilege granted under the laws of the state of Montana and is not a natural right of individuals, therefore, the board goals are to maintain quality dental care for the public and to provide vigilant supervision of all dental practitioners and dental hygiene practitioners in the public interest, by utilization of all legal means in disciplinary actions. Licensure of only those individuals who have demonstrated competency in the field of oral health care. To regulate the profession of dentistry and dental hygiene in Montana by reviewing applications, conducting examinations, and monitoring the practice of licensees in the public interest.

Objectives: Adopt rules for dental auxiliaries and provide for their continuing education and to utilize the dental association for their help in investigation of complaints. To utilize the Western Regional Examining Board for conducting practical examination which shall maintain a higher standard for testing, and conducting oral interviews and jurisprudence examination for all new applicants. To utilize a representative from the Dental Hygienists' Association for assistance in formulating the dental hygiene examination and input in regards to rules for dental auxiliaries.

II. SUMMARY OF BOARD ACTIVITIES

Held six board meetings in FY 82 for a total of 42 board meeting days and held four board meetings in FY 83 for a total of 24 board meeting days. Held five examinations in FY 82 for a total of five examination days and held three examinations in FY 83 for a total of three examination days.

III. STATISTICS ILLUSTRATING BOARD ACTIVITIES CONCERNING LICENSING

Applications received by category	<u>FY 82</u>	<u>FY 83</u>
Dentists	46	33
Dental Hygienists	47	21
Examination Given by Category		
Dentists	39	30
Dental Hygienists	31	17
New Licenses Granted by Category		
Dentists	39	30
Dental Hygienists	35	17

BOARD OF DENTISTRY

FY 82FY 83

Licenses Renewed by Category

Dentists	789	785
Dental Hygienists	299	307

Total Licensees at FY End by Category

Dentists	812	792
Dental Hygienists	329	315

IV. SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION

<u>TYPE OF COMPLAINT</u>	<u>DISPOSITION</u>		
Workmanship/Professional Conduct	Complainant chose not to pursue - closed	1	0
	Complainant withdrew complaint	1	
	Complaint investigated - closed based on lack of evidence	0	5
	Board investigated - pending	1	5
Dentures/Denturist	Board requested formal complaint - never filed - closed	1	0
	Board investigated - pending	1	1
	Denturist left town	1	0
Charged with felony	Medicaid Fraud Control Division charged dentist with theft of medicaid funds - pending	1	0
	Rape charges filed against dentist by County Attorney - Board issued emergency suspension - Judge lifted suspension - dentist placed on probation - Board issued order of proposed board action - pending.	1	0
Dental Assistant performing hygienists functions	Investigated by letter - no fault of dentist or assistant - closed	1	0

BOARD OF DENTISTRY

		<u>FY 82</u>	<u>FY 83</u>
<u>TYPE OF COMPLAINT</u>	<u>DISPOSITION</u>		
Dental Assistant performing hygienists functions	Investigated by P.I. - No evidence - closed	1	0
Ownership of dental records - dispute	No Board jurisdiction - closed by letter	1	2
Possible drug or alcohol abuse	Dentist attended center - investigated by letter - license revoked	1	0
Misuse of Prescription Authority	Forged prescriptions - investigated by Executive Secretary of Pharmacy Board - Licensee placed on probation	1	0
	Investigated by letter- dentist advised to take more care in his prescription writing habits - closed	1	0
Supervision of Dental Hygienist	Investigated by letter- institution was instructed to comply with the statutes	1	0
General Competence	Investigated dentist - no fault of dentist - closed	1	0
	Investigated dentist - no fault of dentist - closed	1	0
	Investigated by Oral Surgeon - no fault of dentist - closed	1	0
Non-compliance of renewal procedures	Notice of proposed board action to revoke dental license - dentist complied with renewal requirements - closed	1	0
Unlicensed dental hygienist practicing without a license	Investigated by letter- case became moot when the dental hygienist received her license	0	1

BOARD OF DENTISTRY

		<u>FY 82</u>	<u>FY 83</u>
<u>TYPE OF COMPLAINT</u>	<u>DISPOSITION</u>		
Misleading advertising	Investigated - no fault - closed	0	1

V. NUMBER OF LICENSES REVOKED OR SUSPENDED BY CATEGORY OR
OTHER DISCIPLINARY ACTION

Revoked	0	1
Suspended	0	0
Probation	1	1
Emergency Suspension	1	0
Failure to pay renewal fee		
Dentist	8	9
Dental Hygienists	7	9

VI. FISCAL INFORMATION

REVENUE:

Dentist Original	\$ 640	\$ 765
Dentist Renewal	19,675	27,450
Dentist Penalty	540	1,620
Hygienist Original	500	570
Hygienist Renewal	2,990	9,220
Copies of Documents	40	75
Dentist Initial Exam	2,050	1,330
Hygienist Exam	1,825	1,270
Hygiene Re-exam		80
TOTAL REVENUE	\$28,260	\$42,380

EXPENDITURES:

PERSONAL SERVICES:

Salaries	\$ 8,341	\$11,816
Other Compensation - board	1,220	1,700
Employee Benefits	1,810	2,403
TOTAL PERSONAL SERVICES	\$11,371	\$15,919

OPERATING EXPENSES:

CONTRACTED SERVICES:

Con. & Prof. Services	\$ 3,254	\$ 1,638
Data Processing Services	9	906
Legal Fees & Court Costs	2,600	1,038
Printing - Contracted	1,357	1,238
Dentistry		67
TOTAL CONTRACTED SERVICES	\$ 7,220	\$ 4,887

SUPPLIES & MATERIALS

Office	\$ 496	\$ 159
Photo & Reproduction	167	
Printing-Duplicating	18	
Books	8	244
Food	4	
Building Materials	8	
Board Member Plaque		91
TOTAL SUPPLIES & MATERIALS	\$ 701	494

BOARD OF DENTISTRY

	<u>FY 82</u>	<u>FY 83</u>
COMMUNICATIONS:		
Telephone-Long Distance Usage	\$ 620	\$ 249
Postage & Mailing	1,764	1,982
Telephone - STS Usage	212	149
TOTAL COMMUNICATIONS	<u>\$ 2,596</u>	<u>2,380</u>
TRAVEL:		
In-State Personal Car Mileage	\$ 2,252	\$ 1,595
In-State Commercial Trans.	536	347
In-State Other	3	3
In-State Meals	699	550
In-State Lodging	764	490
Out-of-State Commercial Trans.	431	734
Out-of-State Other		35
Out-of-State Meals	50	233
Out-of-State Lodging	130	423
TOTAL TRAVEL	<u>\$ 4,865</u>	<u>\$ 4,410</u>
RENT:		
Buildings	\$ 310	\$ 660
Meeting Rooms	25	45
Other - Building		411
TOTAL RENT	<u>\$ 335</u>	<u>\$ 1,116</u>
REPAIR & MAINTENANCE:		
Office Equipment	\$ 60	\$ 110
TOTAL REPAIR & MAINTENANCE	<u>\$ 60</u>	<u>\$ 110</u>
OTHER EXPENSES:		
Dues	\$ 370	\$ 360
Registration Fees for Train.	75	229
Freight & Express & Tuition	48	19
TOTAL OTHER EXPENSES	<u>493</u>	<u>608</u>
TOTAL OPERATING EXPENSE	\$16,270	\$14,005
EQUIPMENT:		
Office	\$ 220	\$ 0
TOTAL OFFICE EQUIPMENT	<u>\$ 220</u>	<u>\$ 0</u>
TRANSFER ADMINISTRATIVE COSTS	\$ 4,246	\$ 4,675
TOTAL ALL EXPENDITURES	\$32,107	\$34,600
TOTAL APPROPRIATION	\$32,107	\$35,138
UNEXPENDED APPROPRIATION	\$ 0	\$ 538
CASH BALANCE - FYE	\$14,551	\$23,577

VII. BOARD MEMBERSHIP DURING BIENNIUM

Douglas E. Wood, DDS 10 Three Mile Dr., Kalispell	3/29/82
Jeanette S. Buchanan, RDH, Box 220, Columbia Falls	3/29/84
Elmer N. Cox, 1925 First Ave. N. Great Falls	1/4/87
Robert Fritz, DDS, 907 Helena Ave., Helena	3/29/84
Byron Greany, DDS, 115 West Commercial, Anaconda	3/29/87
James W. Olson, DDS, 215 N. 10th St., Hamilton	3/29/86
David B. Tannev, DDS, 1547 S. Higgins, Missoula	3/29/85
William G. Thomas, DDS, Utica Rt., Hobson	3/29/83
John T. Noonan, DDS, 114 13th St. So., Great Falls	3/29/88

VIII. LEGISLATIVE OR COURT ACTION AFFECTING THE BOARD

Chapter 349, L. 1983, An act to generally revise and clarify the licensing laws of dentists and dental hygienists; allowing more than one board member to attend the national association meetings; providing a general rulemaking statute for the board; revising license and examination qualifications and providing for continued competency for annual license renewal; revising the definition of the practice of dental hygiene; deleting the temporary license provision for dental hygienists; prohibiting a license fee on dental hygienists by a local government and clarifying the similar prohibition for dentists; and making rulemaking discretionary regarding auxiliary personnel.

IX. RECOMMENDATIONS FOR ADMINISTRATION OF PROGRAM

To study existing program designs in determining a viable means of demonstrating continued competency for renewal.

To investigate the actions of licensees on a continual basis even when no formal complaint has been filed. To inspect work authorization forms issued by dentists to dental laboratories. Continue to revise the laws and rules to better serve the public, as well as the profession. To continue inspection of dental offices to ascertain that auxiliaries are being properly supervised and are qualified for the functions which they are performing. To increase the FTE in FY 86 and FY 87.

STATE ELECTRICAL BOARD

I. GOALS AND OBJECTIVES

Goals: To protect the health and safety of the people of this state from the danger of electrically caused shocks, fires, and explosions. To protect property from the hazard of electrically caused fires and explosions.

Objectives: It is the prime objective of this program to determine that all persons or firms making electrical installations for others are qualified by training and experience and are properly licensed in Montana to engage in the business, trade, or calling of electrical contractor or electrician.

II. SUMMARY OF BOARD ACTIVITIES

Gave five examinations per year to be sure all applicants were qualified to do electrical wiring. Held four board meetings this year. Reviewed all applications to be sure each one had the experience required to become an electrician. Worked closely with the inspection division to be sure that all electricians are licensed and follow electrical code for the protection of the public. Signed contract with the Educational Testing Service, Multi-State Electrician Examination, to ensure the examination fairly tests the applicants knowledge, abilities and skills in electricity.

III. STATISTICS ILLUSTRATING BOARD ACTIVITIES CONCERNING LICENSING

Applications Received by Category:	<u>FY 82</u>	<u>FY 83</u>
Journeyman	127 (79)	115 (72)
Master	106 (58)	71 (22)
Residential	11 (7)	11 (5)
Contractors	56	64

Examinations Given by Category (Passing)

Journeyman	61 (34)	112 (59)
Master	49 (22)	57 (12)
Residential	9 (4)	8 (6)
Total	119 (60)	177 (77)
Passing Ratio	51%	44%

New Licenses Granted by Category

Journeyman	88	102
Master	72	48
Residential	8	7
Contractor	56	64

Licenses Renewed by Category

Journeyman	1149	1227
Master	994	1077
Residential	0	10
Contractor	540	611

STATE ELECTRICAL BOARD

	<u>FY 82</u>	<u>FY 83</u>
Total Licensees at FY End by Category:		
Journeyman	1237	1329
Master	1066	1125
Residential	8	17
Contractor	596	675

IV. SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION

<u>TYPE OF COMPLAINT</u>	<u>DISPOSITION</u>	
Wiring without license	Letter sent - 2 Turned over to Cnty. Attny. - no action - 1	3
Code Violations	Formal hearing - license suspended for 30 days	1
Wiring without license	Letter Sent	1
Wiring without license and code violations	Turned over to Cnty. Attny. - fined \$100 for each offense	1
Wiring without license and code violations	Turned over to Cnty. Attny. - no action	1
Code violations by licensee	Turned over to staff attorney	1
Code violation & hiring unlicensed persons	Turned over to staff attorney - formal hearing set for revo- cation of license	1

V. NUMBER OF LICENSES REVOKED OR SUSPENDED BY CATEGORY OR
OTHER DISCIPLINARY ACTION

Revoked	0	0
Suspended	1	0
Other Disciplinary Action	0	0
Failure to Pay Renewal Fee		
Journeyman	50	45
Masters	42	36
Residential	0	0
Contractors	29	34

VI. FISCAL INFORMATION

REVENUE:

Electrical Contractor	\$22,845	\$20,855
Master Orig/Renewal	14,314	12,155
Master Delinquent	165	170
Journeyman Orig/Renewal	5,942	6,028
Journeyman Delinquent	200	215

STATE ELECTRICAL BOARD

	<u>FY 82</u>	<u>FY 83</u>
Residential Orig/Renewal	100	110
Residential Delinquent	10	0
Copies of Documents	31	4
Electrician Exam	2,394	1,950
Electrician Reciprocity	430	1,080
Electrical Code Book	18	0
TOTAL REVENUE	<u>\$46,449</u>	<u>\$42,567</u>
EXPENDITURES:		
PERSONAL SERVICES:		
Salaries	\$21,807	\$22,002
Other Compensation	1,575	1,425
Employee Benefits	4,401	4,298
TOTAL PERSONAL SERVICES	<u>\$27,783</u>	<u>\$27,725</u>
CONTRACTED SERVICES:		
Data Processing Services	\$ 0	\$ 1,555
Legal Fees and Court Costs	2,785	0
Printing	584	429
TOTAL CONTRACTED SERVICES	<u>\$ 3,369</u>	<u>\$ 1,984</u>
SUPPLIES & MATERIALS:		
Educational	\$ (-45)	\$ 0
Minor Tools, Instrum. & Equip.	0	19
Office	164	452
Photo & Reproduction	80	21
Printing	133	0
Books & Reference Materials	97	47
Building Materials	16	0
Shop Supplies/Tools Minr. Equip.	7	27
Photographic	27	0
General	18	36
TOTAL SUPPLIES & MATERIALS	<u>\$ 497</u>	<u>\$ 603</u>
COMMUNICATIONS:		
Telephone - Loc. Serv. & Equip.	\$ 5	\$ 1
Telephone - Long Distance Usage	69	76
Postage & Mailing	1,499	1,666
STS Usage	145	131
General	1	0
TOTAL COMMUNICATIONS	<u>\$ 1,719</u>	<u>\$ 1,974</u>
TRAVEL:		
In-State Personal Car Mileage	\$ 2,178	\$ 3,337
In-State Commercial Transport	77	184
In-State State Motor Pool	2,175	1,698
In-State Other	1	12
In-State Meals	1,163	1,132
In-State Lodging	1,105	1,025
Out-of-State Commercial Trans.	1,154	0
Out-of-State Other	7	0
Out-of-State Lodging	294	0
Out-of-State Car Rental	69	0
TOTAL TRAVEL	<u>\$ 8,351</u>	<u>\$ 6,388</u>

STATE ELECTRICAL BOARD

	<u>FY 82</u>	<u>FY 83</u>
RENT:		
Building	\$ 0	\$ 1,234
Office Equipment	14	0
Meeting Rooms	260	155
Photo Copy Equipment	3	0
TOTAL RENT	<u>\$ 276</u>	<u>\$ 1,389</u>
REPAIR & MAINTENANCE:		
Building & Grounds	\$	\$ 241
Maintenance Contracts	60	207
TOTAL REPAIR & MAINTENANCE	<u>\$ 60</u>	<u>\$ 448</u>
OTHER EXPENSES:		
Regis. Fees for Training Confer.	\$ 95	\$ 113
Freight & Express	10	0
TOTAL OTHER EXPENSES	<u>\$ 105</u>	<u>\$ 113</u>
TOTAL OPERATING EXPENSE	\$14,377	\$12,799
EQUIPMENT:		
Office	\$ 1,110	\$ 377
TOTAL EQUIPMENT	<u>\$ 1,110</u>	<u>\$ 377</u>
TRANSFER ADMINISTRATIVE COSTS	\$13,025	\$14,388
TOTAL ALL EXPENDITURES	\$56,294	\$55,249
TOTAL APPROPRIATION	\$62,550	\$69,146
UNEXPENDED APPROPRIATION	\$ 6,255	\$13,897
CASH BALANCE - FYE	\$152,634	\$139,017

VI. BOARD MEMBERSHIP DURING BIENNIUM

Albert Bersanti, Box 3251, Butte, MT	7/1/84
Kenneth Olsen, Box 31491, Billings, MT	7/1/88
Charles Powell, Box 5, Kalispell, MT	7/1/85
Jerry Painter, 121 4th St. N., Great Falls, MT	7/1/86
Edger Justesen, 1610 E. Ames, Glendive, MT	7/1/87

VIII. LEGISLATIVE OR COURT ACTION AFFECTING THE BOARD

NONE

IX. RECOMMENDATIONS FOR ADMINISTRATION OF PROGRAM

Combine the licensing and inspection into one department to make it easier to locate unlicensed persons and enforce law. Hire additional licensing inspectors to ensure sufficient coverage of the state on checking licenses.

BOARD OF HEARING AID DISPENSERS

I. GOALS AND OBJECTIVES

Goals: To protect the public by continual supervision on competency, service and correct supervision of trainees. To encourage moral and ethical conduct by more aggressive management of consumer complaints.

Objectives: To maintain competition in the free enterprise system. To maintain the present accomplishments in good hearing delivery to the public. To encourage hearing aid dispensers to upgrade and improve their relations with the public, their trainees and the medical profession. Encourage continuing education by hearing aid dispensers.

II. SUMMARY OF BOARD ACTIVITIES

Four Board meetings were held during the biennium with written and practical exams being given at the same time. In FY 83 the board studied the alternative of going to the national examination which will be implemented at the August, 1983 meeting. A new way of grading the practical examinations was used with individuals grading each candidate before discussion ensued. A mean score of 3 must be received before they pass.

III. STATISTICS ILLUSTRATING BOARD ACTIVITIES CONCERNING LICENSING

Applications Received by Category:	<u>FY 82</u>	<u>FY 83</u>
Trainee Applications	22	26
Hearing Aid Dispensers	0	0
Audiologists	5	5
Examinations Given by Category (Passing)		
Trainee Exams	16 (4)	17 (7)
New Licenses Granted by Category		
Trainee Licenses	4	7
Audiologists	3	5
Licenses Renewed by Category		
Hearing Aid Dispensers	38	49
Total Licensees at FY End by Category:		
Trainees	4	7
Audiologists	3	5
Renewals	38	49

FY 82FY 83IV. SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION

<u>TYPE OF COMPLAINT</u>	<u>DISPOSITION</u>		
Unsatisfactory hearing aid leading to refunds	(3) closed (2) pending	5	
Misleading advertising	(3) closed	3	
Allegation of misuse of term "audiologist"	(1) closed	1	
Office hrs. not in compliance	(1) closed	1	
Working outside MT on MT license	(1) closed	1	
Hearing aid not working-refund not necessary, but must work with person	(1) closed	1	
Medical waiver not signed - voluntary surrendered license after compliance	(1) closed	1	
Unsatisfactory hearing aid leading to refunds	(4) closed (1) pending	5	
Money not refunded	(2) closed	2	
Bill not paid for receiving hearing aids	(1) closed	1	
Misrepresentation of office location	(1) closed	1	
Trainee using pressure tactics	(1) (pending)	1	

V. NUMBER OF LICENSES REVOKED OR SUSPENDED BY CATEGORY OR OTHER DISCIPLINARY ACTION

Revoked	0	0
Suspended	0	0
Other disciplinary action	0	0
Failure to pay renewal fee	0	0

VI. FISCAL INFORMATION

REVENUE:

Hearing Aid Temporary	\$ 935	\$ 865
-----------------------	--------	--------

BOARD OF HEARING AID DISPENSERS

	<u>FY 82</u>	<u>FY 83</u>
Hearing Aid Original	\$ 720	\$ 800
Hearing Aid Renewal	3,760	3,680
Hearing Aid Late Fee	72	80
TOTAL REVENUE	<u>\$ 5,487</u>	<u>\$ 5,425</u>
EXPENDITURES:		
PERSONAL SERVICES:		
Salaries	\$ 782	\$ 1,154
Other Compensation	230	275
Employee Benefits	151	221
TOTAL PERSONAL SERVICES	<u>1,163</u>	<u>\$ 1,650</u>
CONTRACTED SERVICES:		
Data Processing Services	\$ 0	\$ 86
Legal Fees & Court Costs	305	196
Printing	0	144
TOTAL CONTRACTED SERVICES	<u>\$ 305</u>	<u>\$ 426</u>
SUPPLIES AND MATERIALS:		
Office	\$ 19	\$ 12
Photo & Reproduction	57	0
Printing	3	4
Books & Reference Materials	31	34
TOTAL SUPPLIES AND MATERIALS	<u>\$ 110</u>	<u>\$ 50</u>
COMMUNICATIONS:		
Telephone - Long Distance Usage	\$ 80	\$ 11
Postage & Mailing	154	191
Telephone - Local Serv. & Equip.	0	18
Telephone - STS Usage	74	29
TOTAL COMMUNICATIONS	<u>\$ 308</u>	<u>\$ 249</u>
TRAVEL:		
In-State Personal Car Mileage	\$ 440	\$ 478
In-State Meals	132	92
In-State Lodging	93	24
TOTAL TRAVEL	<u>\$ 665</u>	<u>\$ 594</u>
RENT:		
Buildings	\$ 0	\$ 206
TOTAL RENT	<u>\$ 0</u>	<u>\$ 206</u>
REPAIR & MAINTENANCE:		
Maintenance Contracts	\$ 0	\$ 17
TOTAL REPAIR & MAINTENANCE	<u>\$ 0</u>	<u>\$ 17</u>
TRANSFER ADMINISTRATIVE COSTS	\$ 859	\$ 918
TOTAL ALL EXPENDITURES	\$ 3,410	\$ 4,110
TOTAL APPROPRIATION	\$ 5,349	\$ 5,761
UNEXPENDED APPROPRIATION	\$ 1,939	\$ 1,651
CASH BLANACE - FYE	\$ 8,930	\$ 8,827

VII. BOARD MEMBERSHIP DURING BIENNIUMFY 82

Barbara Going, P.O. Box 1174, Great Falls, MT	7/1/83
Erwin King, P.O. Box 2112, Billings, MT	7/1/82
Robert Jurovich, 2047 Grand Ave., Billings, MT	7/1/84
Charles H. Steele, M.D., 2509 7th Ave. So., Gt. Falls	7/1/82
Ruth Chisholm, 502 State, Helena, MT	7/1/84

FY 83

Barbara Going, P.O. Box 1174, Great Falls, MT	7/1/86
Dudley Anderson, 943 Stephens, Missoula, MT	7/1/85
Robert Jurovich, 2047 Grand Ave., Billings, MT	7/1/84
Dr. Williams Simic, M.D., 905 Helena Ave., Helena, MT	7/1/85
Ruth Chisholm, 502 East State, Helena, MT	7/1/84

VIII. LEGISLATIVE OR COURT ACTION AFFECTING THE BOARD

NONE

IX. RECOMMENDATIONS FOR ADMINISTRATION OF PROGRAM

That the Board go to a national written examination. Adequate appropriation to carry out duties and responsibilities under the law and rules. Make changes in the law that will enable the Board to enforce law and rules more effectively.

BOARD OF HORSE RACING

I. GOALS AND OBJECTIVES

To promote and encourage the raising and racing of race horses in Montana. To encourage track management to improve their facilities. To better protect the betting public. To give all state personnel better training. To expand the list of qualified personnel. To update the license process and screening of applicants. To make the Board more responsive to the immediate problems. To continue to improve trainers examinations to protect the public from unqualified trainers.

II. SUMMARY OF BOARD ACTIVITIES

Monthly Board meetings. Annual spring racing seminar for officials. Conduct hearings. Participate in NASRC. (National Association State Racing Commission)

III. STATISTICS ILLUSTRATING BOARD ACTIVITIES CONCERNING LICENSING

	<u>FY 82</u>	<u>FY 83</u>
Licenses Issued by Category:		
Owners License	861	946
Owner-Trainer license	397	442
Trainer License	176	208
Track License	13	13
Jockey License	95	100
Jockey Apprentice License	25	30
Jockey Agent License	7	6
Authorized Agent License	8	10
Officials License	79	214
Pari-mutuel License	614	350
Occupational License	1131	1205
Stable Name Registration	31	29
TOTAL LICENSE AT FYE:	<u>3437</u>	<u>3553</u>
TRAINERS EXAMINATIONS GIVEN:	47	55

IV. SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION

<u>TYPE OF COMPLAINT</u>	<u>DISPOSITION</u>
Protesting Stewards Decision	(3) resigned (2) pending
Protest against Jockey	(2) resigned (1) pending
Protest against management	unresolved
Protest against pari-mutuel	(2) resigned
Protest against horse-shoer - financial	unresolved
Protest against official	(1) resigned
Protest against licensee financial	(2) collected bad debts

BOARD OF HORSE RACING

V.

NUMBER OF LICENSES REVOKED OR SUSPENDED BY CATEGORY OR
OTHER DISCIPLINARY ACTION

Revoked	0
Suspended	0
Other Disciplinary Action	57
by calendar year	

		<u>FINES</u>	<u>SUSPENSIONS</u>	<u>BOTH</u>
Careless ride by jockey	(24)	23	1	
Causing an altercation	(3)	2		1
Failure to control mount	(1)	1		
Bad test (medication)	(3)	1		2
Illegally striking mount	(3)	3		
Entering an ineligible horse	(5)	5		
Electrical devices	(2)	1		1
Licensing violation	(2)		2	
Misc.	(5)	5		
Reporting late to jockey room	(4)	4		
Frivolous claim of foul	(2)	2		
Failure to follow stewards directive	(2)	2		
Failure to be present in paddock during saddling	(1)	1		
TOTALS	(57)	50	3	4

Figures based on the 1983 racing season.

VI.

FISCAL INFORMATION

REVENUE:

	FY 82	FY 83
Racing Personnel License	\$ 29,454	\$ 35,475
Pari-Mutuel	102,902	124,697
Unclaimed Winning Ticket	29,812	32,713
Horse Racing Violations	2,745	3,235
TOTAL REVENUE	\$164,913	\$196,120

EXPENDITURES:

PERSONAL SERVICES:

Salaries	\$ 51,806	\$ 99,629
Hourly Wages - Employee	0	0
Other Compensations-Board	4,763	2,775
Employee Benefits	7,951	14,133
TOTAL PERSONAL SERVICES	\$ 64,520	\$116,537

CONTRACTED SERVICES

Consultant & Professional	\$ 35,014	\$ 35,006
Legal Fees & Court Costs	11,148	1,206
Printing-Contracted	1,896	1,956
Private Legal Counsel	0	0
Microfilm Service	180	216
Laboratory Testing	55	0
Data Processing	0	1,049
Consultant & Other Travel	0	487
General	0	75
TOTAL CONTRACTED SERVICES	\$ 48,293	\$ 39,995

BOARD OF HORSE RACING

	<u>FY 82</u>	<u>FY 83</u>
SUPPLIES & MATERIALS:		
Office	\$ 870	\$ 689
Minor Tools & Equipment	0	16
Photo & Reproduction	341	3,469
Printing-Suplication	178	0
Food	0	0
Photographic	1,978	300
Microfilm Supplies	0	1,080
Carpentry	32	0
Books & Reference Materials	205	1,252
Building	16	0
TOTAL SUPPLIES & MATERIALS	<u>\$ 3,620</u>	<u>\$ 6,806</u>
COMMUNICATIONS:		
Telephone Long Distance	\$ 3,073	\$ 2,189
Postage & Mailing	990	984
Telephone STS Usage	342	427
Advertising	162	300
Advertising-National	65	0
TOTAL COMMUNICATIONS	<u>\$ 4,716</u>	<u>\$ 3,899</u>
TRAVEL:		
In-State Personal Car	\$ 11,914	\$ 12,742
In-State Commercial Trans.	2,062	1,409
In-State Motor Pool	204	949
In-State Aircraft Rental	1	0
In-State Car Rental	0	107
In-State Other	39	22
In-State Meals	9,264	9,587
In-State Lodging	10,658	10,699
Out-of-State Comm. Trans.	3,713	1,357
Out-of-State Other	0	1
Out-of-State Personal Car	33	0
Out-of-State Meals	650	265
Out-of-State Lodging	1,232	578
TOTAL TRAVEL	<u>\$ 39,770</u>	<u>\$ 37,716</u>
RENT:		
Meeting Rooms	\$ 364	\$ 145
Office Equipment	9	0
Other Equipment	0	13
Buildings	0	823
General	0	200
TOTAL RENT	<u>\$ 373</u>	<u>\$ 1,181</u>
REPAIR & MAINTENANCE:		
Office Equipment	\$ 159	\$ 25
Building	43	0
Maintenance Contract	0	117
TOTAL REPAIR & MAINTENANCE	<u>\$ 202</u>	<u>\$ 142</u>

BOARD OF HORSE RACING

	<u>FY 82</u>	<u>FY 83</u>
OTHER EXPENSES:		
Dues	\$ 3,552	\$ 770
Subscriptions	186	147
Registration Fees	390	502
Freight & Express	110	58
Allowances	0	10
TOTAL OTHER EXPENSES	<u>\$ 4,238</u>	<u>\$ 1,487</u>
 TOTAL OPERATING EXPENSES	 \$101,212	 \$ 91,227
 EQUIPMENT:	 \$ 969	 \$ 1,029
 TRANSFER ADMINISTRATIVE COSTS	 \$ 17,348	 \$ 20,065
 TOTAL ALL EXPENDITURES	 \$184,049	 \$228,857
 TOTAL APPROPRIATION	 \$220,512	 \$240,697
 UNEXPENDED APPROPRIATION	 \$ 36,463	 \$ 11,840
 CASH BALANCE - FYE	 \$165,017	 \$123,714

VII. BOARD MEMBERSHIP DURING THE BIENNIUM

Linda King, P.O. Box 5804, Helena, MT	1/20/84
Harold Gerke, 1201 Clark Ave., Billings, MT	1/20/86
John Trippe, Drawer E, Seeley Lake, MT	1/20/86
Malvin Merja, Gen. Del., Sun River, MT	1/20/85
Terry Wagner, Rt. 2, Box 3104, Miles City, MT	1/20/83
Harold Hopwood, Darby, MT	1/20/83
Joseph Murphy, Great Falls, MT	1/20/83
James Edwards, Billings, MT	1/20/83
Don Norem, Bozeman, MT	1/20/83

VIII. LEGISLATIVE OR COURT ACTION AFFECTING THE BOARD

The 1983 Legislature re-established a sunset Board of Horse Racing by passing House Bill 853. The Bill re-established the Board under existing statutory authority and rules. However, the composition was changed to provide 5 public members. It also provided an Executive Secretary for the Board and defined his duties. It required the Board to establish a fund for the recognition of Montana Bred horses as well as clarified and amended various sections.

The Montana Board of Horse Racing adopted rules to allow Harness Horse Racing in Montana. They were challenged by the Montana HBPA and it was referred to the First Judicial District for review. No action was taken.

IX. RECOMMENDATIONS FOR ADMINISTRATION OF PROGRAM

To develop an apprenticeship program for officials. To increase the pool of qualified officials. To upgrade racing seminars. To encourage tracks to operate at a profit. To upgrade the collection, process and accountability of urine and blood tests of race horses. To continue to inform the public.

BOARD OF LANDSCAPE ARCHITECTS

I. GOALS AND OBJECTIVES

Goals: Protecting the citizens of this state by insuring that only fully qualified individuals are licensed to represent themselves to the public as landscape architects.

Objectives: To assure the public that persons representing themselves as landscape architects are fully qualified by investigating complaints as received; enforcing the statutes and rules of the Board; giving the Council of Landscape Architects Registration Boards Uniform National Examination once each year; issuing licenses to candidates passing the examination and to those applicants applying for licensure by reciprocity and meeting the requirements as set forth by statute and rule.

II. SUMMARY OF BOARD ACTIVITIES

Administered the Uniform National Examination in June, 1982 and June, 1983. Arranged for review of the Uniform National Examination for those candidates who were unsuccessful on the examination, upon request. Conducted required board meetings.

III. STATISTICS ILLUSTRATING BOARD ACTIVITIES CONCERNING LICENSING

	<u>FY 82</u>	<u>FY 83</u>
Applications Received by Category:		
New Applications for Examination	3	5
Re-Take for Examination	7	7
Reciprocity	3	2

Examinations Given by Category (Passing):		
Section A	4 (4)	5 (4)
Section B	6 (5)	4 (4)
Section C	6 (3)	6 (3)
Section D	9 (4)	9 (0)

New Licenses Granted by Category:		
Reciprocity	2	1
Examination	0	4

Licenses Renewed by Category:		
Landscape Architect	56	58

Total Licensees at FY End by Category:		
Landscape Architect	56	58

FY 82

FY 83

IV. SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION

TYPE OF COMPLAINT DISPOSITION
 No complaints received in either fiscal year.

V. NUMBER OF LICENSES REVOKED OR SUSPENDED BY CATEGORY OR OTHER DISCIPLINARY ACTION

Revoked	0	0
Suspended	0	0
Other Disciplinary Action	0	0
Failure to Pay Renewal Fee	0	0

VI. FISCAL INFORMATION

REVENUE:

Landscape Architect Renewal	\$ 5,052	\$ 6,165
Landscape Architect Application	375	300
Landscape Architect Certificate	70	210
Landscape Architect Examination	1,335	1,752
Landscape Architect Seals	60	225
Landscape Architect Reciprocity		75
TOTAL REVENUE	\$ 6,892	\$ 8,727

EXPENDITURES:

PERSONAL SERVICES:

Hourly Wages-Employees	\$ 1,021	\$ 1,739
Other Compensation-Board	50	175
Employee Benefits	180	351
TOTAL PERSONAL SERVICES	\$ 1,251	\$ 2,265

OPERATING EXPENSES:

CONTRACTED SERVICES:

Data Processing Services	\$ 0	\$ 17
Con. & Prof. Services	677	204
Legal Fees & Court Costs	388	0
Printing-Contracted	143	188
Written Exam Fees	316	984
TOTAL CONTRACTED SERVICES	\$ 1,524	\$ 1,393

SUPPLIES & MATERIALS:

Office Supplies	\$ 17	\$ 207
Photo & Reproduction	8	0
Books & Reference Materials	41	60
TOTAL SUPPLIES & MATERIALS	\$ 66	\$ 267

COMMUNICATIONS:

Telephone-Long Distance Usage	\$ 26	\$ 21
Postage & Mailing	144	224
Telephone - STS Usage	13	29
TOTAL COMMUNICATIONS	\$ 183	\$ 274

BOARD OF LANDSCAPE ARCHITECTS

	FY 82	FY 83
TRAVEL:		
In-State Personal Car Mileage	\$ 173	\$ 258
In-State Commercial Trans.	450	243
In-State State Motor Pool	158	0
In-State Other	15	0
In-State Meals	176	112
In-State Lodging	141	125
Out-of-State Com. Trans.	393	282
Out-of-State Other	13	3
Out-of-State Meals	101	217
Out-of-State Lodging	99	205
TOTAL TRAVEL	\$ 1,719	\$ 1,445
RENT:		
Buildings	\$ 0	\$ 206
TOTAL RENT	\$ 0	\$ 206
REPAIR & MAINTENANCE		
Maintenance Contracts	\$ 0	\$ 10
TOTAL REPAIR & MAINTENANCE	\$ 0	\$ 10
OTHER EXPENSES:		
Dues	\$ 400	\$ 400
Registration Fees for Train. Conf.	50	50
Freight & Express	46	0
TOTAL OTHER EXPENSES	\$ 496	\$ 450
TOTAL OPERATING EXPENSE	\$ 3,988	\$ 4,035
TRANSFER ADMINISTRATIVE COSTS	\$ 869	\$ 929
TOTAL ALL EXPENDITURES	\$ 6,108	\$ 7,239
TOTAL APPROPRIATION	\$ 6,927	\$ 7,593
UNEXPENDED APPROPRIATION	\$ 814	\$ 355
CASH BALANCE - FYE	\$ 7,713	\$ 9,485

VII. BOARD MEMBERSHIP DURING BIENNIUM

Esther Hamel, Box 68, St. Ignatius, MT	7/1/86
Dick Mayer, 527 Diehl Drive, Helena, MT	7/1/86
Jack Ervin, MPC, Box 38, Colstrip, MT	7/1/84
Daniel Miller, P.O. Box 21076, Billings, MT	7/1/85
Richard Pohl, 1716 South Rouse, Bozeman, MT	7/1/85

VIII. LEGISLATIVE OR COURT ACTION AFFECTING THE BOARD

Chapter 672, 1. 1983, increased the per diem compensation for board members from \$25 per day to \$50 per day.

Several other laws were passed that deal with rule making power, review of rules, sunset provision and requirements for reports to Governor and Legislature.

IX.

RECOMMENDATIONS FOR ADMINISTRATION OF PROGRAM

Keeping alert to more efficient methods of protecting the public. Assist interested persons in becoming registered as a landscape architect. Keeping the Board members aware of landscape architecture on a National level as information is received from the Council of Landscape Architect Registration Boards.

BOARD OF MEDICAL EXAMINERS

I. GOALS AND OBJECTIVES

Goals: To carry out the intent of the law so that the public will have confidence in those individuals licensed to practice medicine, acupuncture, podiatry, emergency medical services and physician assistants.

Objectives: To enforce the Medical Practice Act and rules of the board. To assure and protect the public that persons representing themselves as an M.D., podiatrist, acupuncturist, physician assistant, osteopath, and E.M.T. are fully qualified. To provide 2,000 annual renewals, provide examinations for 100 applicants per year, to try and salvage and rehabilitate the impaired physician.

II. SUMMARY OF BOARD ACTIVITIES

During the past biennium the board has met four times each year. These meetings are usually two day meetings. A public hearing was held on proposed rules for physician assistants. The rules were adopted and licensing was implemented. One board member attended the Federation of State Medical Board meeting in Denver and one board member attended a conference on impaired physicians which was held in Portland. Members of the Montana Medical Association met with the board to discuss concerns regarding the effective functioning of the Committee on Impaired Physicians. The association and the board will cooperate with each other on rehabilitating impaired physicians. A public hearing was held on advanced EMT rules. Rules were adopted and are in effect.

III. STATISTICS ILLUSTRATING BOARD ACTIVITIES CONCERNING LICENSING

Applications Received by Category	<u>FY 82</u>	<u>FY 83</u>
M.D.	145	139
EMT	304	167
Podiatry	2	3
Acupuncture	3	6
Physician Assistants	3	12

Examinations Given by Category (Passing)

M.D.	39 (13)	114 (53)
EMT	481 (208)	0
Acupuncture	3 (3)	5 (5)

New Licenses Granted by Category

M.D.	147	126
EMT	108	242
Podiatry	2	3
Acupuncture	3	6
Physician Assistant	3	9

BOARD OF MEDICAL EXAMINERS

Licenses Renewed by Category	<u>FY 82</u>	<u>FY 83</u>
M.D.	1,722	1,826
EMT	114	402
Podiatry	34	38
Acupuncture	18	20
Osteopaths	25	24

Total Licenses at FY End by Category

M.D.	1,788	1,883
EMT	844	999
Podiatry	36	38
Acupuncture	21	26
Osteopaths	25	24
Physician Assistants	0	9

IV. SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION

<u>TYPE OF COMPLAINT</u>	<u>DISPOSITION</u>		
Improper practice of medicine	Settled amongst doctors	0	1
	Investigation in progress	0	2
Hearing Aid Problem	No jurisdiction	1	0
Excessive prescription writing	Same probation as CA	1	0
	Same probation as WA	1	0
	Decrease in writing prescriptions, will monitor	3	1
	No violation of MPA	0	2
Practicing Acupuncture without license	Took exam and passed	1	0
Poor medical care	No violation of state or federal law	1	0
	No action	1	0
Doctor/patient conflict	No jurisdiction	0	1
	No violation of MPA	0	2
	Settled between Dr./Patient	1	1
	Refer to county medical society	0	1
	Investigation in progress	0	2
Improper treatment	No action - no violation	6	1
	Emergency Suspension	1	0
Practicing without license	Letter of warning	1	0

BOARD OF MEDICAL EXAMINERS

		<u>FY 82</u>	<u>FY 83</u>
<u>TYPE OF COMPLAINT</u>	<u>DISPOSITION</u>		
Impaired physician	Did not pursue licensure	1	0
	1 yr. temp.	0	1
	Monitor	0	1
	No Action	0	1
	Investigate	0	2
Excessive fees	No action	2	0
	No jurisdiction	0	1
Unprofessional conduct	No action	4	0
	No violation of MPA	0	3
	Non-renewal of license (set for hearing	0	1
Dispensing drugs without license	No violation	1	0
Medicaid Fraud	No violation of MPA	0	1

V. NUMBER OF LICENSES REVOKED OR SUSPENDED BY CATEGORY OR OTHER DISCIPLINARY ACTION

Revoked	0	0
Suspended	1	0
Other Disciplinary Action	0	0
Failure to Pay Renewal Fee	47	21

VI. FISCAL INFORMATION

REVENUE:

Reciprocity - M.D.	\$ 16,400	\$ 14,085
Temporary - M.D.	2,395	2,595
Renewal - M.D.	61,033	52,350
Late Penalty - M.D.	530	460
Renewal - Podiatry & Rec.	900	1,100
Acupuncture Appl & Rec.	20	20
Acupuncture Renewal	340	400
Emergency Med. Tech.	13,750	4,670
Osteopathic Active	165	135
Osteopathic Inactive	113	113
Physician Assistant	150	750
M.D. Exam	5,800	18,140
Acupuncture Exam	100	750
Podiatry Exam	50	0
Acupuncture Invest.	465	1,170
EMT Recertification	0	2,020
TOTAL REVENUE	<u>\$102,211</u>	<u>\$ 98,758</u>

BOARD OF MEDICAL EXAMINERS

EXPENDITURES:

	<u>FY 82</u>	<u>FY 83</u>
PERSONAL SERVICES:		
Hourly Wages - employees	\$ 26,221	\$ 32,518
Other Compensation - board	2,025	2,600
Employee Benefits	4,784	5,184
TOTAL PERSONAL SERVICES	<u>\$ 33,030</u>	<u>\$ 40,302</u>
OPERATING EXPENSES:		
CONTRACTED SERVICES:		
Con. & Prof. Services	\$ 2,150	\$ 11,842
Data Processing Services	11	1,179
Legal Fees & Court Costs	4,342	355
Printing-Contracted	824	624
Written Exam Fees	6,920	16,260
Food Service Expense	0	0
Private Legal Counsel	4,045	6,134
Con. & Other Travel	0	3,147
TOTAL CONTRACTED SERVICES	<u>\$ 18,292</u>	<u>\$ 39,541</u>
SUPPLIES & MATERIALS:		
Office	\$ 347	\$ 280
Photo & Reproduction	265	4
Printing-Duplicating	0	0
Books	108	835
Building Material	16	594
TOTAL SUPPLIES & MATERIALS	<u>\$ 736</u>	<u>\$ 1,713</u>
COMMUNICATIONS:		
Telephone-Long Distance Usage	\$ 1,141	\$ 1,053
Postage & Mailing	2,946	3,398
Telephone-STS Usage	177	157
TOTAL COMMUNICATIONS	<u>\$ 4,265</u>	<u>\$ 4,608</u>
TRAVEL:		
In-State Personal Car Mileage	\$ 2,380	\$ 1,832
In-State Commercial Trans.	939	908
In-State State Motor Pool	0	15
In-State Car Rental	72	224
In-State Meals	1,062	1,044
In-State Lodging	1,350	1,326
Out-of-State Commercial Trans.	494	1,068
Out-of-State Meals	135	412
Out-of-State Lodging	326	759
TOTAL TRAVEL	<u>\$ 6,758</u>	<u>\$ 7,588</u>
RENT:		
Buildings	\$ 0	\$ 1,234
Meeting Rooms	758	950
TOTAL RENT	<u>\$ 758</u>	<u>\$ 2,184</u>
REPAIR & MAINTENANCE:		
Office Equipment	\$ 68	\$ 0
Maintenance Contracts	60	217
TOTAL REPAIR & MAINTENANCE	<u>\$ 128</u>	<u>\$ 217</u>

BOARD OF MEDICAL EXAMINERS

	<u>FY 82</u>	<u>FY 83</u>
OTHER EXPENSES:		
Dues	\$ 500	\$ 535
Registration Fees for Train.	50	570
Freight & Express	10	0
TOTAL OTHER EXPENSES	\$ 560	\$ 1,105
 TOTAL OPERATING EXPENSE	 \$ 31,497	 \$ 56,956
 EQUIPMENT:		
Office	\$ 90	\$ 0
TOTAL EQUIPMENT	\$ 90	\$ 0
 TRANSFER ADMINISTRATIVE COSTS	 \$ 10,525	 \$ 11,514
 TOTAL ALL EXPENDITURES	 \$ 75,142	 \$108,772
 TOTAL APPROPRIATION	 \$ 76,861	 \$109,510
 UNEXPENDED APPROPRIATION	 \$ 1,719	 \$ 742
 CASH BALANCE - FYE	 \$238,143	 \$238,898

VII. BOARD MEMBERSHIP DURING BIENNIUM

Edward Bertagnolli, M.D., Box 526, Three Forks, MT	9/1/86
Henry Gary, M.D., 601 W. Spruce, Missoula, MT	9/1/84
Maurice Hamill, DPM, 24 E. 16th, Helena, MT	10/1/85
Jerome Kohn, Box 1923, Billings, MT	10/1/85
John A. Layne, M.D., 817 5th Ave. N. Gt. Falls, MT	9/1/87
Beda Lovit, 430 Ryman, Missoula, MT	10/1/85
Charles D. Parke, D.O., 9719 Zircon Dr. S.W., Tacoma Washington	9/1/86
Thomas J. Malee, M.D., 509 N. Merrill, Glendive, MT	9/1/87
John W. Strizich, M.D., 1500 Cannon, Helena, MT	9/1/85

VIII. LEGISLATIVE OR COURT ACTION AFFECTING THE BOARD

House Bill 687 - An act to amend the laws relating to the application and examination for a license to practice medicine.

IX. RECOMMENDATIONS FOR ADMINISTRATION OF PROGRAM

Continued one FTE in board office, and private legal counsel.

I. GOALS AND OBJECTIVES

Goals: To protect the public's health, safety and welfare, and maintain professional competency through continuing education requirements.

Objectives: To inspect and license funeral homes to insure that they meet the public health standards as set by state laws and regulations requiring disclosure statements to protect the public from unscrupulous practices and to guarantee that those persons working in the field of mortuary science meet professional competency requirements through education and examination.

II. SUMMARY OF BOARD ACTIVITIES

Four board meetings were held; established professional conduct rules; established continuing education program.

III. STATISTICS ILLUSTRATING BOARD ACTIVITIES CONCERNING LICENSING

Applications received by category:	<u>FY 82</u>	<u>FY 83</u>
Morticians	8	15

Examinations Given by Category (Passing):

Morticians	12	7
------------	----	---

New Licenses Granted by Category:

Interns	9	6
Morticians	6	9
Reciprocity	2	1
Mortuaries	1	0

Licenses Renewed by Category:

Interns	15	5
Funeral Directors	28	33
Morticians	252	251
Mortuaries	84	85

Total Licensees at FY End by Category:	397	390
--	-----	-----

IV. SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION:

<u>TYPE OF COMPLAINT</u>	<u>DISPOSITION</u>
One complaint filed in FY 82. Complaint involved a licensee drinking excessively.	Investigation was conducted. Complaint resolved when licensee completed an alcohol treatment program.

BOARD OF MORTICIANS

<u>TYPE OF COMPLAINT</u>	<u>DISPOSITION</u>	<u>FY 82</u>	<u>FY 83</u>
One complaint filed in FY 80.	Was resolved by being dismissed as no further substantiating evidence was received.	1	
One complaint from FY 81 involving illegal conduct by an unlicensed individual.	Was resolved by revocation of the mortuary license.	1	
Unlicensed individual setting self off as mortician.	Charges filed, court ruled as long as individual didn't do this again, there would be no action taken. Court overruled board administrative powers. Request was made to court to change Order to allow the board to take administrative action. Still pending.		1
Complaint regarding Pre-Need Contract.	No action taken. Pre-Need Contract in Order		1
Complaint against funeral home. Request made for return of CD paid on Pre-Need Contract.	Board office contacted funeral home attorney. CD returned to individual.		1
Complaint against funeral home costs to high.	Costs found comparable upon investigation. No action taken.		1

V. NUMBER OF LICENSES REVOKED OR SUSPENDED BY CATEGORY OR OTHER DISCIPLINARY ACTION

Revoked	1	0
Suspended	0	0
Other Disciplinary Action	0	0
Failure to Pay Renewal Fee	25	12

VI. FISCAL INFORMATION

REVENUE:

Funeral director renewal	\$ 700	\$ 755
Mortician application	400	665
Mortician reinstatement (late renewal)	50	275
Intern renewal	45	59
Mortician renewal	12,660	8,215
Mortuary renewal	2,100	3,255
TOTAL REVENUE	\$ 15,955	\$ 13,224

BOARD OF MORTICIANS

	<u>FY 82</u>	<u>FY 83</u>
EXPENDITURES:		
PERSONAL SERVICES:		
Hourly wages - employees	\$ 2,662	\$ 4,375
Employee benefits	519	909
Other compensation - board	625	975
TOTAL PERSONAL SERVICES	<u>\$ 3,806</u>	<u>\$ 6,259</u>
CONTRACTED SERVICES:		
Legal fees & court costs	\$ 380	\$ 0
Printing - contracted	153	1,014
Consult. & Prof. Services	78	0
Examination Fees	42	
Data Processing	0	62
TOTAL CONTRACTED SERVICES	<u>\$ 653</u>	<u>\$ 1,076</u>
SUPPLIES & MATERIALS:		
Office	\$ 10	\$ 16
Photo & Reproduction	40	0
Building Materials	8	0
Books & Reference Materials	0	330
General	0	7
TOTAL SUPPLIES & MATERIALS	<u>\$ 58</u>	<u>\$ 353</u>
COMMUNICATIONS:		
Telephone - long distance usage	\$ 65	\$ 436
Postage & Mailing	264	919
Telephone - STS usage	68	157
TOTAL COMMUNICATIONS	<u>\$ 397</u>	<u>\$ 1,512</u>
TRAVEL:		
In-state personal car mileage	\$ 1,230	\$ 1,945
In-state motor pool	59	78
In-state other	0	240
In-state meals	455	676
In-state lodging	605	820
Out-of-state commercial trans.	535	779
Out-of-state other	9	15
Out-of-state meals	119	197
Out-of-state lodging	250	400
Out-of-state car rental	0	112
TOTAL TRAVEL	<u>\$ 3,262</u>	<u>\$ 5,262</u>
RENT:		
Rent	\$ 0	\$ 205
TOTAL RENT	<u>\$ 0</u>	<u>\$ 205</u>
REPAIR & MAINTENANCE:		
Office Equipment	\$ 22	\$ 0
Maintenance Contract	0	51
TOTAL REPAIR & MAINTENANCE	<u>\$ 22</u>	<u>\$ 51</u>
OTHER EXPENSES:		
Dues	\$ 300	\$ 300
Registration fees for training	50	103
General	5	0
TOTAL OTHER EXPENSES	<u>\$ 355</u>	<u>\$ 403</u>

BOARD OF MORTICIANS

	FY 82	FY 83
TOTAL OPERATING EXPENSES	\$ 4,747	\$ 8,862
TRANSFER ADMINISTRATIVE COSTS	\$ 1,681	\$ 1,826
TOTAL ALL EXPENDITURES	\$ 10,234	\$ 16,947
TOTAL APPROPRIATION	\$ 14,112	\$ 20,690
UNEXPENDED APPROPRIATION	\$ 3,878	\$ 3,155
CASH BALANCE - FYE	\$ 18,129	\$ 16,124

VII. BOARD MEMBERSHIP DURING BIENNIUM

1982

Jack Severns, 2200 Juniper Ave., Great Falls, MT	7/1/82
J. Everett Bullis, Box 518, Hardin, MT	7/1/83
Vernon Vial, 2908 8th Ave. N., Great Falls, MT	7/1/84
Lorene L. Johnson, Box 966, Kalispell, MT	7/1/85
Lyman M. Clayton, Box 130, Wolf Point MT	7/1/82

1983

Vernon Vial, Great Falls, MT	7/1/84
Lorene Johnson, Kalispell, MT	7/1/85
Lyman "Skip" Clayton, Wolf Point, MT	7/1/87
Dennis Dolan, Butte, MT	7/1/88
Jeff Sherlock, Helena, MT	7/1/87
Sally Garon, Hamilton, MT	Resigned 8/82

VIII. LEGISLATIVE OR COURT ACTION AFFECTING THE BOARD

NONE

IX. RECOMMENDATIONS FOR ADMINISTRATION OF PROGRAM

1982

Adopt continuing education rules, rules on alternative forms of disciplinary action, professional conduct rules, and make necessary changes in disclosure forms.

1983

Change continuing education requirements from Bi-annual to annual. Legislature to set some required courses to fulfill two year college which is in addition to mortuary science school. Legislature to clarify who may make funeral arrangements.

I.

GOALS AND OBJECTIVES

Goals: The goals of the Montana Board of Nursing are to promote, preserve and protect the public health, safety and welfare by and through the effective control and regulation of the practice of nursing and educational preparation for these practices.

Philosophy and Objectives: The Montana Board of Nursing believes that nursing is a vital service to society and that nursing practice should safeguard life, health and promote the public interest and welfare.

The board members believe their primary responsibility is to promote, preserve and protect the public health, safety and welfare by and through the effective control and regulation of the practice of nursing and of educational preparation for these practices.

Further, they believe maintaining effective communication and cooperative efforts with local, state and national nursing organizations, health agencies, governmental units, schools of nursing and health care providers is essential to assure the public's access to competent practitioners and quality care.

Members of the board believe each member is committed to demonstrate personal integrity, impartial judgment, wisdom and dedication to a high standard of service in board activities.

The board of nursing shall function in the field of nursing as an administrative and supervisory agency within the governmental structure and shall:

- (a) implement the Nursing Practice Act by promulgating and enforcing rules and regulations to protect the public health, safety and welfare;

- (b) prescribe standards for the evaluation of programs preparing persons for registration and licensure and approve those nursing education programs which have achieved and are maintaining these minimum standards;

- (c) assure safe standards of nursing practice through examination, licensure and renewal of licenses of qualified applicants including endorsement of qualified registered and practical nurses from other jurisdictions;

- (d) control the practice of nursing in the interest of society by means of investigation and appropriate legal action;

- (e) provide interpretation and consultation services to individuals and groups in matters relating to nursing education and nursing practices; and

- (f) collaborate and cooperate with other appropriate agencies or groups in efforts to assure public safety and to promote competent nursing practice.

BOARD OF NURSING

II. SUMMARY OF MAJOR BOARD ACTIVITIES

1. The Board met five times during Fiscal Year 1983 for a total of 15 days. Three of the meeting days were held to review test items for future registered and practical nursing licensure examinations.
2. Conducted site surveys to two professional nursing programs and one practical nursing program for continued approval status. Reviewed and accepted for filing annual reports from each of the four professional nursing schools and the five practical nursing schools.
3. Approved the Flathead Valley Community College Feasibility Study for the establishment of an associate degree program in nursing.
4. Submitted a petition for and was granted continued recognition as a state agency for approval of nurse education by the U.S. Department of Education for a period of four years.
5. Conducted two public hearings for response to proposed rules and responded to all written comments.
6. Implemented a specialty area recognition program as provided for in the administrative rules.

III. STATISTICS ILLUSTRATING BOARD ACTIVITIES CONCERNING LICENSING

Applications Received by Category:	<u>FY 82</u>	<u>FY 83</u>
Registered Nurses	1,064	897
Practical Nurses	369	359

Examinations Given By Category (Passing):				
Registered Nurses	257	(218)	247	(221)
Practical Nurses	142	(136)	151	(143)

New Licenses Granted by Category:		
Registered Nurses	218	221
Practical Nurses	136	143

Licenses Renewed by Category:		
Registered Nurses	439	344
Practical Nurses	121	99

Endorsement to Other States:		
Registered Nurses	386	298
Practical Nurses	106	116

Specialty Areas

Nurse-Midwives	5	7
Nurse Anesthetist		41 (23)
Nurse Practitioners		23 (10)

BOARD OF NURSING

Licenses Renewed by Category:	<u>FY 82</u>	<u>FY 83</u>
Registered Nurses	7,828	7,727
Practical Nurses	3,066	2,963
Total Licensees at FY End by Category:		
Registered Nurses	8,685	8,292
Practical Nurses	3,323	3,205

IV. SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION

<u>TYPE OF COMPLAINT</u>	<u>DISPOSITION</u>	
Unprofessional conduct (4 RN & 3 LPN)	No Action	2
	Letter of Reprimand	1
	Matter Pending	4
Diversion & Misuse of Drugs (1 RN & 1 LPN)	Probation	1
	Matter Pending	1
Non-Licensed Person Practicing Nursing	Letter of Advisement	4
	Refer to Another Board	2
Signing Prescription Forms (1 RN)	Letter of Reprimand	1

V. NUMBER OF LICENSES REVOKED OR SUSPENDED BY CATEGORY OR OTHER DISCIPLINARY ACTION

		<u>FY 83</u>	
Revoked	1 RN 0 LPN		1
Suspended	0 RN 0 LPN		0
License Restricted/Probation	1 RN 1 LPN		2
Letter of Reprimand	4 RN 1 LPN		5

VI. FISCAL INFORMATION

REVENUE:	<u>FY 82</u>	<u>FY 83</u>
Registered Nurse Renewal	\$ 75,385	\$ 80,740
Registered Nurse Reciprocity	15,675	12,655
Practical Nurse Renewal	29,000	29,800
Practical Nurse Reciprocity	4,197	3,800
Midwife Original/Renewal	115	100
Copies of Documents	895	1,317
Registered Nurse Initial Exam	7,915	8,375
Registered Nurse Re-Exam	1,190	525
Practical Nurse Initial Exam	4,655	5,195
Practical Nurse Re-Exam	175	175
Nursing Specialty Original		1,600
TOTAL REVENUE	\$139,202	\$144,282
EXPENDITURES:		
PERSONAL SERVICES:		
Salaries	\$ 47,878	\$ 53,779
Other Compensation-Board	2,338	2,513
Employee Benefits	9,208	10,019
TOTAL PERSONAL SERVICES	\$ 59,423	\$ 66,311

BOARD OF NURSING

	<u>FY 82</u>	<u>FY 83</u>
CONTRACTED SERVICES:		
Appraised Fees	\$ 300	
Consultant & Professional Services	7,735	\$ 625
Data Processing Services	5,120	3,488
Legal Fees & Court Costs	1,631	190
Printing	1,667	6,055
Written Examination Fees	8,074	6,034
Microfilm Services	98	
Consultant & Other Travel		1,992
General		296
TOTAL CONTRACTED SERVICES	<u>\$24,624</u>	<u>\$18,680</u>
SUPPLIES AND MATERIALS:		
Educational	\$ 8	\$
Office	482	392
Photo & Reproduction	229	
Printing	1,315	
Books & Reference Materials	290	195
Building Materials	96	\$
TOTAL SUPPLIES & MATERIALS	<u>\$ 2,420</u>	<u>\$ 587</u>
COMMUNICATIONS:		
Telephone-Local Serv. & Equip.	\$	\$ 6
Telephone-Long Distance Usage	10	67
Postage & Mailing	6,487	7,098
Telephone-STS Usage	227	269
TOTAL COMMUNICATIONS	<u>\$ 6,724</u>	<u>\$ 7,440</u>
TRAVEL:		
In-State Personal Car Mileage	\$ 2,722	\$ 2,820
In-State Commercial Trans.	67	220
In-State Motor Pool		380
In-State Meals	1,843	2,140
In-State Lodging	2,180	2,602
Out-of-State Personal Car Mileage	60	0
Out-of-State Comm. Transp.	2,776	755
Out-of-State Other	14	0
Out-of-State Meals	684	97
Out-of-State Lodging	1,727	\$ 161
TOTAL TRAVEL	<u>\$12,073</u>	<u>\$ 9,175</u>
RENT:		
Buildings	\$ 0	\$ 2,468
Storage	0	3
Meeting Rooms	0	130
TOTAL RENT	<u>\$ 0</u>	<u>\$ 2,601</u>
REPAIR & MAINTENANCE:		
Office Equipment	\$ 165	\$ 45
Maintenance	181	317
General		80
TOTAL REPAIR & MAINTENANCE	<u>\$ 346</u>	<u>\$ 442</u>

BOARD OF NURSING

OTHER EXPENSES:	FY 82	FY 83
Dues	\$ 4,000	\$ 18
Subscriptions	128	274
Registration Fees for Train. Conf.	905	218
Freight & Express	253	46
TOTAL OTHER EXPENSES	\$ 5,286	\$ 556
EQUIPMENT:		
Office	\$ 0	\$ 824
TOTAL EQUIPMENT	\$ 0	\$ 824
LOBBYIST DISCLOSURE:		
Salaries	\$ 0	\$ 27
Employee Benefits	0	5
TOTAL LOBBYIST DISCLOSURE	\$ 0	\$ 32
TOTAL OPERATING EXPENSE	\$51,471	\$39,480
TRANSFER ADMINISTRATIVE COSTS	\$26,473	\$29,337
TOTAL ALL EXPENDITURES	\$137,367	\$135,952
TOTAL APPROPRIATION	\$146,677	\$154,375
UNEXPENDED APPROPRIATION	\$ 9,310	\$ 18,423
CASH BALANCE - FYE	\$214,474	\$219,683

VII. BOARD MEMBERSHIP DURING BIENNIUM

Janie Cromwell, R.N., 417 Travonia, Butte, MT	7/1/83
Helen Kiesling, R.N., 1010 4th Ave., Havre, MT	7/1/84
Donna Small, R.N., 1208 Oakland Dr., Billings, MT	7/1/85
Therese Sullivan, R.N., 633 Leslie Ave., Helena, MT	7/1/86
Patricia McCranie, LPN, 1026 Ave. D., Billings, MT	7/1/84
Shirley Mann, LPN, 1507 Colorado Ave., Black Eagle, MT	7/1/83
Mary Ritchie, LPN, Box 641, Boulder, MT	7/1/85
Philip J. Hess, 341 Beverly, Missoula, MT	7/1/85
Patricia Mirehouse, 2735 Dawn Drive, Great Falls, MT	7/1/85

VIII. APPROVED PROFESSIONAL NURSING AND PRACTICAL NURSING EDUCATION PROGRAMS

Preparing for Licensure as a Registered Nurse:

Baccalaureate Degree	-	School of Nursing Montana State University Bozeman, MT
		Department of Nursing Carroll College Helena, MT

BOARD OF NURSING

Preparing for Licensure as a Registered Nurse (cont.):

Associate Degree - Department of Nursing & Health
Services
Miles Community College
Miles City, MT

Department of Nursing
Northern Montana College
Havre, MT

Preparing for Licensure as a Practical Nurse:

Billings Vocational Technical Center
3803 Central Avenue
Billings, MT

Butte Vocational Technical Center
404 South Wyoming
Butte, MT

Great Falls Vocational Technical Center
2100 16th Avenue South
Great Falls, MT

Helena Vocational Technical Center
1115 Roberts
Helena, MT

Missoula Vocational Technical Center
909 S. Avenue West
Missoula, MT

IX. LEGISLATIVE OR COURT ACTION AFFECTING THE BOARD

NONE

X. RECOMMENDATIONS FOR ADMINISTRATION OF PROGRAM

Expand the microfilming of Board records to include Board minutes, examination reports, historical records and school reports.

Continue to review and update all forms used to administer the requirements of the law and to review and revise the rules as needed.

Seek through legislative and departmental action, the addition of a nursing practice consultant.

Develop and implement more effective means of communication with nurses in the state to inform them about the activities of the Montana Board of Nursing, in relation to the Board's administration of the Nursing Practice Act.

I. GOALS AND OBJECTIVES

Goals: The Board of Nursing Home Administrators shall help to ensure qualified patient and resident care through the licensing of qualified nursing home administrators.

Objectives: Establish criteria for licensing of nursing home administrators; establish criteria for continuing education programs; conduct continuing study of standards of licensure; establish criteria for ensuring that only qualified persons administer long term care facilities; establish criteria for maintenance of licensure; recommend to University Systems and Learning Centers that programs be established for nursing home administrators.

II. SUMMARY OF BOARD ACTIVITIES

The Board of Nursing Home Administrators lowered the fee for an active nursing home administrators license from \$100.00 to \$75.00 annually.

A set of tapes, for a total of three programs, was obtained by the Board and now enables the Board to provide continuing education for licensees, at no cost to the licensee.

III. STATISTICS ILLUSTRATING BOARD ACTIVITIES CONCERNING LICENSING

Applications Received by Category:	<u>FY 82</u>	<u>FY 83</u>
Examination	23	29
Reciprocal	20	20
Applications-denied, incomplete or did not appear	3	7
Temporary Permits	10	5
Examinations Given by Category (Passing):		
Active Licensees (1 failure)	12	12
Inactive Licensees	2	3
New Licenses Granted by Category:		
Active Licensees	15	17
Inactive	2	3
Licenses Renewed by Category:		
Active Licenses	116	56
Inactive	54	0
Total Licensees at FY End by Category:		
Active Licensees	125	131
Inactive	62	60

BOARD OF NURSING HOME ADMINISTRATORS

IV. SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION

<u>TYPE OF COMPLAINT</u>	<u>DISPOSITION</u>
0	0

V. NUMBER OF LICENSES REVOKED OR SUSPENDED BY CATEGORY OR OTHER DISCIPLINARY ACTION

	<u>FY 82</u>	<u>FY 83</u>
Revoked	0	0
Suspended	0	0
Other Disciplinary Action	0	0
Failure to Pay Renewal Fee	8	10

VI. FISCAL INFORMATION

REVENUE:

Inactive License Renewal	\$ 1,550	\$ 1,500
Active License Renewal	12,110	9,375
Temporary Permits	590	300
Reciprocity	255	595
Copies of Documents	95	47
Examination	475	725
TOTAL REVENUE	<u>\$15,075</u>	<u>\$12,542</u>

EXPENDITURES:

PERSONAL SERVICES:

Hourly Wages-employees	\$ 4,523	\$ 8,037
Other Compensation-Board	100	475
Employee Benefits	871	1,503
TOTAL PERSONAL SERVICES	<u>\$ 5,494</u>	<u>\$10,015</u>

OPERATING EXPENSES:

CONTRACTED SERVICES:

Con. & Prof. Services	\$ 0	\$ 0
Data Processing Services	0	0
Legal Fees & Court Costs	662	0
Printing-Contracted	236	546
Written Exam Fees	150	585
TOTAL CONTRACTED SERVICES	<u>\$ 1,048</u>	<u>\$ 1,131</u>

SUPPLIES & MATERIALS:

Office	\$ 95	\$ 41
Photo & Reproduction	68	41
TOTAL SUPPLIES & MATERIALS	<u>\$ 163</u>	<u>\$ 82</u>

COMMUNICATIONS:

Telephone-Long Distance Usage	\$ 39	\$ 46
Postage & Mailing	472	538
Telephone - STS Usage	54	41
TOTAL COMMUNICATIONS	<u>\$ 565</u>	<u>\$ 625</u>

TRAVEL:

In-State Personal Car Mileage	\$ 254	\$ 574
In-State Commercial Trans.	0	210

BOARD OF NURSING HOME ADMINISTRATORS

	<u>FY 82</u>	<u>FY 83</u>
TRAVEL (cont.):		
In-State State Motor Pool	\$ 97	\$ 0
In-State Meals	43	207
In-State Lodging	52	202
Out-of-State Comm. Trans.	0	368
Out-of-State Meals	0	135
Out-of-State Lodging	0	344
TOTAL TRAVEL	\$ 445	\$ 2,040
RENT:		
Buildings	\$ 0	\$ 206
TOTAL RENT	\$ 0	\$ 206
REPAIR & MAINTENANCE:		
Office Equipment	\$ 60	\$ 69
TOTAL REPAIR & MAINTENANCE	\$ 60	\$ 69
OTHER EXPENSES:		
Dues	\$ 250	\$ 250
Registration Fees for Train.	0	125
TOTAL OTHER EXPENSES	\$ 250	\$ 375
TOTAL OPERATING EXPENSES	\$ 2,532	\$ 4,527
TRANSFER ADMINISTRATIVE COSTS	\$ 2,932	\$ 3,251
TOTAL ALL EXPENDITURES	\$10,958	\$17,793
TOTAL APPROPRIATION	\$19,205	\$20,929
UNEXPENDED APPROPRIATION	\$ 8,247	\$ 3,136
CASH BALANCE - FYE	\$21,881	\$17,767

VII. BOARD MEMBERSHIP DURING BIENNIUM

Vera Gerke, 1201 Clark Ave., Billings, MT	5/28/84
Warren L. Croston, Comm. Hosp., 600 Oak St., Anaconda	5/28/85
Marion Finley, 808 2nd Ave. W., Kalispell, MT	5/28/87
Clara Hartz, 1830 Elm, Butte, MT	5/28/86
Marguerite Watne, 1251 Willow Glen Dr., Kalispell, MT	5/28/83
Ex-Officio Members	
George Fenner, Dept. of Health, Hosp. & Med. Fac.	
Designee from SRS Unknown - no replacement name provided	

VIII. LEGISLATIVE OR COURT ACTION AFFECTING THE BOARD

NONE

IX. RECOMMENDATIONS FOR ADMINISTRATION OF PROGRAM

NONE

BOARD OF OPTOMETRISTS

I. GOALS AND OBJECTIVES

Goals: The Board of Optometrists is responsible for protecting the visual health and safety of the people of Montana by insuring that all applicants for licensure are qualified and competent in the optometry field; that only licensed and qualified professionals are delivering eyecare to the public; and that optometrists in active practice in the state maintain their competency by regulation in accordance with the statutes and rules, and requiring attendance at continuing educational programs annually.

Objectives: To examine qualified applicants each year for licensure as optometrists to insure their competency in rendering high quality vision care by passage of a practical and written examination as required. To review complaints as received and to provide field investigations as required. To determine if disciplinary actions are necessary and if so, to initiate same. To initiate proceedings in the court system against unlicensed persons practicing optometry. To issue renewal of registrations each year and verify compliance with the continuing educational requirements for those optometrists in active practice in the state. To participate in national association meetings to keep up with changes in the profession of optometry. To insure that optometrists wishing to employ diagnostic pharmaceutical agents have complied with the necessary requirements and to recommend to the Board of Medical Examiners that certificates for the use of diagnostic pharmaceutical agents be issued. To review various continuing educational programs and determine their pertinency and relevancy.

II. SUMMARY OF BOARD ACTIVITIES

There were four Board meetings and one examination day in FY 82, and three meetings and three examination days in FY 83. One of the examination days in FY 83 was a special examination.

One notice of proposed rule additions and changes was filed and subsequently adopted in the biennium pertaining to: establishing fees commensurate with costs of administering programs; the continuing educational requirements; and the general practice requirements of optometrists.

III. STATISTICS ILLUSTRATING BOARD ACTIVITIES CONCERNING LICENSING

Applications Received by Category:	<u>FY 82</u>	<u>FY 83</u>
Examination	13	13
Reciprocity	0	1

Examinations Given by Category (Passing):

Optometrist	21 (18)	14 (10)
-------------	---------	---------

New Licenses Granted by Category:

Examination	18	10
Reciprocity	1	0

Licenses Renewed by Category:

Optometrist	191	190
-------------	-----	-----

Total Licensees at FY End by Category:

Optometrist	197	212
-------------	-----	-----

Miscellaneous Statistics

Continuing Education Verified	121	128
DPA Certificates Issued by Board of Medical Examiners	20	10

IV. SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION

<u>TYPE OF COMPLAINT</u>	<u>DISPOSITION</u>		
Practicing optometry without a license (contact lenses)	Preliminary injunction denied by District Court	1	0
Dispute over services	Pending (1) No Violation (5) Withdrawn (1)	4	3
Advertising	No jurisdiction (1) Letter of Warning (1 pending) (5) Pending (1)	2	5
Practicing out of Jurisdiction	Resolved between parties	0	1
Releasing of Prescription	Resolved between parties (complainant on warning to refrain from holding himself out to be an optometrist)	0	3

Of the 19 complaints received in the biennium, 6 were filed by optometrists, 9 by the public, 2 from other professionals, and 2 were initiated by the Board.

BOARD OF OPTOMETRISTS

FY 82

FY 83

V.

NUMBER OF LICENSES REVOKED OR SUSPENDED BY CATEGORY OR OTHER DISCIPLINARY ACTION

Revoked	0	0
Suspended	0	0
Other Disciplinary Action	0	0
Revoked for non-payment of renewal fees	1	8

VI.

FISCAL INFORMATION

REVENUE:

Original Certificate of Registration	\$ 190	\$ 500
Renewal of Registration	9,550	10,285
Penalty for Late Renewal of Registration	455	420
Application Fee	825	1,385
Copies of Documents	0	38
TOTAL REVENUE	\$11,020	\$12,628

EXPENDITURES:

PERSONAL SERVICES:

Hourly Wages-employees	\$ 3,043	\$ 4,445
Other Compensation-Board	600	850
Employee Benefits	606	805
TOTAL PERSONAL SERVICES	\$ 4,249	\$ 6,100

OPERATING EXPENSES:

CONTRACTED SERVICES:

Con. & Prof. Services	\$ 43	\$ 29
Data Processing Services	0	20
Legal Fees & Court Costs	537	158
Printing-Contracted	323	206
TOTAL CONTRACTED SERVICES	\$ 903	\$ 413

SUPPLIES & MATERIALS

Office	\$ 70	\$ 32
Photo & Reproduction	55	6
Printing-Duplicating	64	
Books	48	13
Food	17	
General	0	2
TOTAL SUPPLIES & MATERIALS	\$ 254	\$ 53

COMMUNICATIONS:

Telephone-Long Distance Usage	\$ 152	\$ 121
Postage & Mailing	462	395
Telephone-STS Usage	73	71
TOTAL COMMUNICATIONS	\$ 687	\$ 587

TRAVEL:

In-State Personal Car Mileage	\$ 1,047	\$ 1,123
In-State Commercial Trans.	184	40

BOARD OF OPTOMETRISTS

	<u>FY 82</u>	<u>FY 83</u>
TRAVEL (cont.):		
In-State State Motor Pool	\$ 53	\$ 0
In-State Other	0	6
In-State Meals	320	421
In-State Lodging	382	513
Out-of-State Commercial Trans.	0	308
Out-of-State Meals	0	69
Out-of-State Lodging	0	297
In-State Air Craft Rental	0	368
TOTAL TRAVEL	<u>\$ 1,986</u>	<u>\$ 3,145</u>
RENT:		
Buildings	\$ 0	\$ 231
Meeting Rooms	115	125
TOTAL RENT	<u>\$ 115</u>	<u>\$ 356</u>
REPAIR & MAINTENANCE:		
Maintenance Contracts	\$ 30	\$ 28
TOTAL REPAIR & MAINTENANCE	<u>\$ 30</u>	<u>\$ 28</u>
OTHER EXPENSES:		
Dues	\$ 200	\$ 200
Registration Fees for Train.	0	60
Tuition	0	10
Freight & Express	0	15
TOTAL OTHER EXPENSES	<u>\$ 200</u>	<u>\$ 285</u>
TOTAL OPERATING EXPENSES:	\$ 4,175	\$ 4,867
GRANTS:		
To Professional Societies	\$ 500	\$ 750
TOTAL GRANTS	<u>\$ 500</u>	<u>\$ 750</u>
TRANSFER ADMINISTRATIVE COSTS	\$ 1,628	\$ 1,800
TOTAL ALL EXPENDITURES	\$10,552	\$13,517
TOTAL APPROPRIATION	\$12,490	\$13,525
UNEXPENDED APPROPRIATION	\$ 1,938	\$ 8
CASH BALANCE - FYE	\$27,384	\$27,028

VII. BOARD MEMBERSHIP DURING BIENNIUM

Teresa R. McKeon, Box 545, Malta, MT	2/20/83
J.R. Crabtree, O.D., Box 856, Choteau, MT	4/3/83
Alverne Kautz, O.D., 1212 Grand Ave., Billings, MT	4/3/84
John Dedrickson, O.D., Box K, Libby, MT	4/3/85
Paul Kathrein, O.D., 509 2nd Ave. N., Gt. Falls, MT	3/3/87
Sara Gertrude Malone, East Shore, Bigfork, MT	2/20/87

BOARD OF OPTOMETRISTS

VIII. LEGISLATIVE OR COURT ACTION AFFECTING THE BOARD

Chapter 390, L. 1983, deleted the July 2nd renewal date and requires the Department to establish renewal dates for optometrists.

Chapter 672, L. 1983, increased the per diem compensation for Board members from \$25 a day to \$50 a day.

Several other laws were passed that deal with rule-making procedures, reviewal of rules, sunset provisions, and required reports to the Governor and Legislature.

Civil No. 82-11, In the District Court of the Sixth Judicial District of the State of Montana, in and for the County of Park, Board of Optometrists v.s. Fairfax Opticians: Application for Preliminary Injunction Denied.

IX. RECOMMENDATIONS FOR ADMINISTRATION OF PROGRAM

To review and revise the statutes and rules regulating the profession of optometry to provide for better protection of the public health, safety, and welfare. To revise the statutes and rules to allow for a biennial renewal and continuing education.

I.

GOALS AND OBJECTIVES

Goals: The practice of pharmacy is a professional practice affecting the public health, safety, and welfare and is subject to regulation and control in the public interest.

It is a matter of public interest and concern that the practice of pharmacy merit and receive the confidence of the public

It is the Board's responsibility to make certain that only qualified persons be permitted to engage in the practice of pharmacy in the state of Montana.

It is the Board's responsibility to set standards of competence for the practice of pharmacy in the state of Montana.

It is the Board's responsibility to assure uniform qualifications and continued competency of licensed pharmacists.

It is the Board's purpose to promote, preserve, protect the public health, safety, and welfare by and through the effective control and regulation of the practice of pharmacy.

Objectives: In order to realize the above goals, the Board of Pharmacists shall:

1. License drug outlets engaged in the manufacturing, production, dispensing, and distribution of drugs, medications, devices, and such other materials as may be used in the diagnosis and treatment of injury, illness, and disease.
2. Regulate the quality of drugs and medicines dispensed in this state, using the United States Pharmacopoeia/ National Formulary or revisions thereof as standards.
3. Adopt rules necessary to carry out provisions in a fair, impartial, and nondiscriminatory manner.
4. Grant licenses to each candidate judged to have the required proficiency for the practice of pharmacy.
5. Promulgate, adopt, amend, and repeal such rules as may be deemed necessary for the proper administration and enforcement of the statutes.
6. Make annual field checks of all certified pharmacies, registered pharmacists, registered interns, and others involved in the distribution of drugs for compliance with the statutes and rules pertaining to the practice of pharmacy.

BOARD OF PHARMACISTS

Objectives (cont.):

7. Supervise interns and the internship program and monitor the externship and clerkship programs offered by the School of Pharmacy, University of Montana.
8. Investigate all complaints registered with the Board involving any registrant.
9. Hold hearings when deemed necessary and to dismiss charges, suspend or revoke licenses according to the evidence produced and the decision of the Board.
10. Maintain reasonable and continuing supervision and surveillance over all licensees.
11. Continue to be involved in regional and national decisions affecting the practice of pharmacy.

II. SUMMARY OF BOARD ACTIVITIES

Two Board meetings were held in FY 82 and three were held in FY 83. NABPLEX examinations, Practical/Jurisprudence examinations, and reciprocity examinations were administered twice in each fiscal year.

There were 175 on-site inspections in FY 82 and 95 in FY 83.

One notice of proposed rule changes and/or deletions and one administrative order were filed in FY 83. Included in the rule changes/deletions were setting a fee schedule commensurate with costs of administering programs, increasing the number of hours an intern may acquire concurrent with school attendance, and deleting the requirement that examination candidates take the Montana Practical examination.

A current Pharmacy Statute and Rule Book was printed and distributed to registrants in FY 82.

There were 15 exemptions granted to the code imprinting requirement in FY 82 and 29 in FY 83.

There were 16 "Report of Theft or Loss of Controlled Substances" forms filed with the Board during FY 82 and 14 filed during FY 83.

III. STATISTICS ILLUSTRATING BOARD ACTIVITIES CONCERNING LICENSING

Applications Received by Category:	<u>FY 82</u>	<u>FY 83</u>
Pharmacist Examination	22	34
Pharmacist Reciprocity	17	23

BOARD OF PHARMACISTS

Applications Received by Category (cont.):	<u>FY 82</u>	<u>FY 83</u>
Certified Pharmacies	23	15
DDA Distribute	8	1
DDA Dispense	19	14
DDA Analyze/Conduct Research	2	0
Interns	39	50

Examinations Given by Category (Passed):

Pharmacist NABPLEX	22 (20)	33 (32)
Pharmacist Practical	29 (29)	20 (18)
Pharmacist Jurisprudence	29 (29)	32 (30)
Pharmacist Reciprocity	17 (17)	22 (21)

New Licenses Granted by Category:

Pharmacist Examination	31	29
Pharmacist Reciprocity	15	22
Certified Pharmacies	23	15
DDA Distribute	6	1
DDA Dispense	20	12
DDA Analyze/Conduct Research	2	4
Interns	39	52

Licenses Renewed by Category:

Pharmacists	950	1,085
Certified Pharmacies	265	323
DDA Distribute	75	76
DDA Dispense	275	278
DDA Analyze/Conduct Research	3	4

Total Licensees at FYE by Category:

Pharmacists	1,044	1,062
Certified Pharmacies	305	306
DDA Distribute	78	75
DDA Dispense	278	279
DDA Analyze/Conduct Research	5	4

Continuing Education:

Programs Approved	67	69
Verified	18	27
Report Forms Reviewed	950	1,085

IV. SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION

<u>TYPE OF COMPLAINT</u>	<u>DISPOSITION</u>	
Unprofessional or illegal conduct of pharmacist	Investigated, charges not substantiated (4)	17
	Investigated, referred to Board, dismissed (1)	13

BOARD OF PHARMACISTS

FY 82

FY 83

<u>TYPE OF COMPLAINT</u> (cont.)	<u>DISPOSITION</u>		
Unprofessional or illegal conduct of pharmacist (cont.)	<ul style="list-style-type: none"> -Investigated, received assurance of corrective action (3) -Referred to Board, dismissed (3) -Referred to Board, warning (3) -Referred to Board, warning and pending (*1) -Referred to Board, pending (3) -Investigated, informed area pharmacists of problem (2) -Investigated, economic issue, no jurisdiction or charges, not substantiated (3) -Investigated, exchange of letters (1) -Investigated, referred to proper agency (2) -Investigated, apparently resolved between parties (1) -Investigated, repeat of complaint, refer to Board if problem persists (1) -Investigated, repeat of complaint that had been settled (1) -No jurisdiction (1) 		
	*This was the result of two separate complaints.		
Unprofessional or illegal conduct of pharmacist and other professional	<ul style="list-style-type: none"> -Investigated, referred to proper agency for their disposal & received assurance of corrective action (1) -Referred to Board, dismissed (1) -Investigated, copies of applicable laws sent (2) 	2	2
Unprofessional or illegal conduct of other professional	<ul style="list-style-type: none"> -Investigated, charges not substantiated (2) -Investigated, referred to proper agency for their disposal (10) 	12	5

BOARD OF PHARMACISTS

FY 82FY 83

<u>TYPE OF COMPLAINT(cont.)</u>	<u>DISPOSITION</u>		
Unprofessional or illegal conduct of other professional (cont.)	-Investigated, referred to proper agency for their disposal & informed area pharmacists of problem (1) -Suspect deceased (1) -Investigated, copy of applicable law of DEA regulations sent (2) -Investigated, state policy? will check if practice continues (1)		
Fraud Suspected involving members of the public	-Investigated, referred to proper agency for their disposal (1) -Investigated, informed area pharmacists of problem (1)	2	0
Sale of misbranded or mislabeled drugs or sale without license	-Investigated, charges not substantiated (2)		
Sale of contraceptives by business not licensed as a pharmacy	-Investigated, received assurance of corrective action (2)	0	2
Allergic reaction from item purchased in health food store	-Investigated, filed report with FDA	0	1
Other, C.E. & renewal, objection to late renewal fee, concern about attorney's opinion on compounding, objections to OTC vendors not required to be licensed	-Investigated, charges not substantiated (1) -Referred to Board, allowed pharmacist to renew (1) -Referred to MSPA, Legislators, other pharmacy owners (1) -No jurisdiction (1)	3	1

Of the 62 complaints received during the biennium, 28 were received from pharmacists, 3 from the state government, 1 from the federal government, 2 from the police department and consumers, 17 from consumers, 9 from health professionals and 2 from inspector.

BOARD OF PHARMACISTS

FY 82

FY 83

V. NUMBER OF LICENSES REVOKED OR SUSPENDED BY CATEGORY OR
OTHER DISCIPLINARY ACTION

Revoked - Registered Pharmacist	0	1
Suspended	0	0
Other Disciplinary Action	(warning) 3	(warning) 5
Failure to pay renewal fee and/or comply with continuing education	34	31

VI. FISCAL INFORMATION

REVENUE:

Pharmacist Reciprocity	\$ 3,600	\$ 4,560
Pharmacist Original/Renewal	15,705	38,475
Pharmacist Late Renewal	510	1,035
Certified Pharmacy Orig./Ren.	11,350	23,470
Certified Pharmacy Late Renewal	0	325
Pharmacist Intern	585	1,140
DDA Manufacture/Distribute	8,300	7,500
DDA Dispense	2,940	2,935
DDA Research/Analyze	50	40
Copies of Documents	790	570
Transcripts of Grades/Intern Hours	50	160
Pharmacist Examination	1,390	2,430
TOTAL REVENUE	\$ 45,270	\$ 82,640

EXPENDITURES:

PERSONAL SERVICES:

Hourly Wages - employees	\$ 37,789	\$ 41,978
Other Compensation-board	1,250	1,250
Employee Benefits	6,985	7,448
TOTAL PERSONAL SERVICES	\$ 46,024	\$ 50,676

OPERATING EXPENSES:

CONTRACTED SERVICES:

Con. & Prof. Services	\$ 208	\$ 252
Data Processing Services	0	10
Legal Fees & Court Costs	1,243	127
Printing-Contracted	744	522
Written Exam Fees	1,012	1,570
TOTAL CONTRACTED SERVICES	\$ 3,207	\$ 2,481

SUPPLIES & MATERIALS:

Office	\$ 451	\$ 91
Photo & Reproduction	1,790	33
Printing-Duplicating	51	9
Books	60	95
Carpentry	50	0
Building Materials	16	0
General	0	29
TOTAL SUPPLIES & MATERIALS	\$ 2,418	\$ 257

BOARD OF PHARMACISTS

	<u>FY 82</u>	<u>FY 83</u>
COMMUNICATIONS:		
Telephone-Long Distance Usage	\$ 365	\$ 300
Postage & Mailing	2,020	2,073
Telephone--STS Usage	467	467
Local Service & Equipment	303	319
TOTAL COMMUNICATIONS	<u>\$ 3,155</u>	<u>\$ 3,159</u>
TRAVEL:		
In-State Personal Car Mileage	\$ 2,085	\$ 1,831
In-State Commercial Trans.	483	81
In-State State Motor Pool	54	67
In-State Other	23	1
In-State Meals	1,445	1,228
In-State Lodging	1,834	1,544
Out-of-State Comm. Trans.	1,280	448
Out-of-State Meals	314	194
Out-of-State Lodging	744	364
TOTAL TRAVEL	<u>\$ 8,262</u>	<u>\$ 5,758</u>
RENT:		
Buildings	\$ 1,240	\$ 2,263
Meeting Rooms	109	81
Office Equipment	0	75
TOTAL RENT	<u>\$ 1,349</u>	<u>\$ 2,419</u>
REPAIR & MAINTENANCE:		
Office Equipment	\$ 0	\$ 0
Maintenance Contracts	83	137
TOTAL REPAIR & MAINTENANCE	<u>\$ 83</u>	<u>\$ 137</u>
OTHER EXPENSES:		
Freight & Express	\$ 0	\$ 5
Dues	130	130
Registration Fees for Train.	260	198
Tuition	0	15
Subscriptions	39	44
TOTAL OTHER EXPENSES	<u>\$ 429</u>	<u>\$ 392</u>
TOTAL OPERATING EXPENSES:	\$ 18,903	\$ 14,603
TRANSFER ADMINISTRATIVE COSTS:	\$ 9,973	\$ 11,149
TOTAL ALL EXPENDITURES	\$ 74,900	\$ 76,428
TOTAL APPROPRIATION	\$ 87,358	\$ 95,503
UNEXPENDED APPROPRIATION	\$ 12,458	\$ 19,075
CASH BALANCE - FYE	\$ 52,318	\$ 59,068

BOARD OF PHARMACISTS

VII. BOARD MEMBERSHIP DURING BIENNIUM

James R. Carlson, R.Ph., Box 130, Miles City, MT	7/1/81
Del L. Steiner, R.Ph., % Gibson Pharmacy, 1600 Main, Billings, MT	7/1/82
D. Wayne Bollinger, R.Ph., % Kalispell Regional Hospital, 310 Sunnyview Lane, Kalispell, MT	7/1/83
Rebecca H. Deschamps, R.Ph., 4505 Old Marshall Grade Road, Missoula, MT	7/1/84
Linda R. Jacobsen, 310 South Rosser, Glendive, MT (Resigned February 9, 1983)	7/1/84
Kristin Hartley, 1204 Maryland, Deer Lodge, MT	7/1/84
Anthony J. Francisco, R.Ph., Box 430, Townsend, MT	7/1/85
Diana Pennell, Gilt Edge Stage, Lewistown, MT (Replaced Jacobsen)	7/1/84

VIII. LEGISLATIVE OR COURT ACTION AFFECTING THE BOARD

Chapter 141, L. 1983: An act updating the list of controlled substances contained in state law to conform with controlled substances listed in the Code of Federal Regulations, 1308. 11-15

Chapter 155, L. 1983: An act defining "hashish" for purposes of the controlled substances laws.

Chapter 180, L. 1983: An act to add to the list of items that may be forfeited when used in connection with a violation of the dangerous drugs laws; to create a rebuttable presumption of forfeiture; to provide the means by which the presumption must be rebutted; to provide for the disposition of drug offense fines and of proceeds of the sale of forfeited items.

Chapter 247, L. 1983: An act to generally revise and clarify the laws relating to the Board of Pharmacists; changing the name of the board to the Board of Pharmacy; amending the provisions on professional education; changing the terms of members of the board and providing a transition to the longer term; establishing qualifications for the public members of the board; clarifying the provisions on what constitutes a violation of pharmacy law relating to disciplinary action against pharmacists; removing the requirement for a reexamination fee.

Chapter 393, L. 1983: An act to increase the minimum penalties for sale of dangerous drugs, thus remedying an omission made during the 46th Legislature.

Chapter 411, L. 1983: An act allowing a defendant sentenced to death to choose between hanging and a lethal injection; providing that the warden of the state prison shall provide the place, person, and implements to carry out the execution; changing the list of persons viewing the execution; exempting persons actually performing the execution from professional licensing requirements.

BOARD OF PHARMACISTS

Chapter 451, L. 1983: An act to prevent the manufacture, sale, possession for sale, and advertisement of imitation dangerous drugs; authorizing the Board of Pharmacists to adopt rules; creating exemptions; and providing penalties.

Chapter 482, L. 1983: An act to establish the offense of criminal possession of a toxic substance.

Chapter 612, L. 1983: An act to grant to justices' courts jurisdiction over first offenses of criminal possession of marijuana and to alter the penalty.

Chapter 672, L. 1983: An act increasing the per diem compensation for quasi-judicial, retirement, and licensing and regulatory boards from \$25 a day to \$50 a day.

Several other laws were passed that deal with rule-making procedures, review of rules, statutory authority, sunset provisions, required reports to the Governor and Legislature, and increasing the meal allowance for travel.

IX.

RECOMMENDATIONS FOR ADMINISTRATION OF PROGRAM

Print and distribute updates for Pharmacy Statute and Rule Book; revise forms as needed; review rules for changes, deletions and additions as deemed necessary; and continually monitor budget, expenses, and special revenue account fund in order to avoid deficits.

BOARD OF PHYSICAL THERAPY EXAMINERS

I. GOALS AND OBJECTIVES

Goals: To promulgate and maintain a standard of competence in the practice of physical therapy in Montana consistent with the interests of its citizens in providing for health, safety, and welfare, and to protect the public from unprofessional, improper, unauthorized, and unqualified practitioners.

Objectives: Renew all valid licenses annually and process all qualified candidates for licensing. Conduct testing sessions twice a year. Process applicants for endorsement licensure. To investigate all legitimate complaints of incompetent or illegal practice, and to pursue all such complaints through legal means when circumstances so justify.

II. SUMMARY OF BOARD ACTIVITIES

Two board meetings, two examinations, and two conference calls were held in Fiscal Year 1982. Two board meetings and one examination was held in Fiscal Year 1983. In Fiscal Year 82 one rule change was noticed and adopted. In Fiscal Year 83 two rule changes were noticed, two rule hearings held, and two rule adoptions.

III. STATISTICS ILLUSTRATING BOARD ACTIVITIES CONCERNING LICENSING

Applications Received by Category:	<u>FY 82</u>	<u>FY 83</u>
Examination	17	13
Reciprocity	11	15

Examinations Given by Category:

Physical Therapy PES Exam	(14)14	(12)13
---------------------------	--------	--------

New Licenses Granted by Category:

Examination	14	12
Reciprocity	11	15

Licenses Renewed by Category:

Physical Therapists	187	210
---------------------	-----	-----

Total Licensees at FY End by Category

Physical Therapists	194	213
---------------------	-----	-----

IV. SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION

<u>TYPE OF COMPLAINT</u>	<u>DISPOSITION</u>
Chiropractor advertising physiotherapy services	Investigated by letter 1 chiropractor instructed to use the term "chiropractor physiotherapy"

BOARD OF PHYSICAL THERAPY EXAMINERS

FY 82

FY 83

<u>TYPE OF COMPLAINT</u>	<u>DISPOSITION</u>		
Application for Reciprocity License	Rule change made and the license was issued		1
Registered nurse representing herself as a cardiac nurse therapist	Referred to Nursing Board	1	
Physical therapist implementing treatment without a physician	Investigated - complaint withdrawn		1
Unclear advertising by licensed physical therapist	Investigated by letter licensee agreed to rewrite the advertisement	1	
Supervision of Physical Therapy Aide	Pending		1

V. NUMBER OF LICENSES REVOKED OR SUSPENDED BY CATEGORY OR OTHER DISCIPLINARY ACTION

Revoked	0	0
Suspended	0	0
Other Disciplinary Action	0	0
Failure to pay Renewal Fee	13	9

VI. FISCAL INFORMATION

REVENUE:

Physical Therapy Rate Renewal	\$ 180	\$ 40
Physical Therapy Application	325	1,400
Physical Therapy Renewal	4,725	4,950
Physical Therapy Reciprocity	1,300	1,670
Physical Therapy Examination	1,100	(under app.)
TOTAL REVENUE	\$ 7,630	\$ 8,060

EXPENDITURES:

PERSONAL SERVICES:

Hourly Wages - employees	\$ 2,593	\$ 3,277
Other Compensation-board	275	500
Employee Benefits	520	634
TOTAL PERSONAL SERVICES	\$ 3,388	\$ 4,411

OPERATING EXPENSES:

CONTRACTED SERVICES:

Con. & Prof. Services	\$ 109	\$ 0
Data Processing Services	11	275
Legal Fees & Court Costs	372	445
Printing-Contracted	165	390
Written Exam Fees	779	715
TOTAL CONTRACTED SERVICES	\$ 1,436	\$ 1,834

BOARD OF PHYSICAL THERAPY EXAMINERS

	<u>FY 82</u>	<u>FY 83</u>
SUPPLIES & MATERIALS:		
Office	\$ 43	\$ 0
Photo & Reproduction	46	0
Printing-Duplicating	4	0
Books	203	176
General	0	4
TOTAL SUPPLIES & MATERIALS	<u>\$ 296</u>	<u>\$ 180</u>
COMMUNICATIONS		
Telephone-Long Distance Usage	\$ 160	\$ 26
Postage & Mailing	382	554
Telephone--STS Usage	112	93
TOTAL COMMUNICATIONS	<u>\$ 654</u>	<u>\$ 674</u>
TRAVEL:		
In-State Personal Car Mileage	\$ 340	\$ 156
In-State Commercial Trans.	130	388
In-State Meals	119	162
In-State Lodging	86	196
TOTAL TRAVEL	<u>\$ 675</u>	<u>\$ 901</u>
RENT:		
Office	\$ 0	\$ 206
TOTAL RENT	<u>\$ 0</u>	<u>\$ 206</u>
REPAIR & MAINTENANCE		
Office Equipment	\$ 0	\$ 21
TOTAL REPAIR & MAINTENANCE	<u>\$ 0</u>	<u>\$ 21</u>
OTHER EXPENSES:		
Other	\$ 0	\$ 18
TOTAL OTHER EXPENSES	<u>\$ 0</u>	<u>\$ 18</u>
TOTAL OPERATING EXPENSES:	\$ 3,061	\$ 3,833
EQUIPMENT:		
Office	\$ 50	\$ 0
TOTAL EQUIPMENT	<u>\$ 50</u>	<u>\$ 0</u>
TRANSFER ADMINISTRATIVE COSTS	\$ 701	\$ 681
TOTAL ALL EXPENDITURES	\$ 7,200	\$ 8,925
TOTAL APPROPRIATION	\$ 7,529	\$ 9,016
UNEXPENDED APPROPRIATION	\$ 329	\$ 1,045
CASH BALANCE - FYE	\$ 5,046	\$ 3,867

VII.

BOARD MEMBERSHIP DURING BIENNIUM

Thomas Larson, RPT, 1019 W. Woolman St., Butte, MT	7/1/85
Helen Jorgenson, RPT, 3427 Timberline Dr., Billings	7/1/84
Jerome Connolly, RPT, 1241 N. 28th, Billings, MT	7/1/83
Richard Bartow, RPT, 725 54th St. So., Gt. Falls, MT	7/1/86

BOARD OF PLUMBERS

I. GOALS AND OBJECTIVES

Goals: To assure the public that all licensed master and journeyman plumbers are duly qualified to perform the work for which they have been licensed.

Objectives: To protect the public from undesirable plumbing practices, to license all persons qualified to be plumbers, to investigate complaints and conduct hearings, to provide technical assistance to the code enforcement agency, to adequately examine applicants as to their competence, experience, and qualifications, to review and renew those licenses currently in effect.

II. SUMMARY OF BOARD ACTIVITIES

Board conducted 5 meetings in FY 82 and gave 4 examinations.

III. STATISTICS ILLUSTRATING BOARD ACTIVITIES CONCERNING LICENSING

Applications by Category:	<u>FY 82</u>	<u>FY 83</u>
Masters	46	50
Journeyman	48	52

Examinations by Category:

Masters	32	44
Journeyman	39	49

New Licenses Issued by Category:

Masters	19	36
Journeyman	28	40

Licenses Renewed by Category:

Masters	364	356
Journeyman	537	506

Total Licensees at FY End: 948 938

IV. SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION

See Pages

V. NUMBER OF LICENSES REVOKED OR SUSPENDED BY CATEGORY OR OTHER DISCIPLINARY ACTION

Revoked	0	1
Suspended	0	0
Failure to pay renewal fees	79	50

BOARD OF PLUMBERS

VI.

FISCAL INFORMATION

	<u>FY 82</u>	<u>FY 83</u>
REVENUE:		
Master plumber renewal	\$ 10,490	\$ 21,375
Journeyman plumber renewal	13,855	30,360
Copies of documents	16	17
Master plumber examination	4,000	5,000
Journeyman plumber exam.	3,855	5,180
Plumbing Code Books	671	876
TOTAL REVENUE	<u>\$ 32,887</u>	<u>\$ 62,808</u>
EXPENDITURES:		
PERSONAL SERVICES:		
Hourly wages	\$ 23,050	\$ 29,869
Other compensation-board	1,710	2,785
Employee benefits	4,572	5,590
TOTAL PERSONAL SERVICES	<u>\$ 29,332</u>	<u>\$ 38,244</u>
CONTRACTED SERVICES:		
Con. & Prof. Services	\$ 2	\$ 37
Legal fees & court costs	2,626	158
Printing contracted	326	352
TOTAL CONTRACTED SERVICES	<u>\$ 2,954</u>	<u>\$ 547</u>
SUPPLIES & MATERIALS:		
Office	\$ 190	\$ 404
Photo. & Reproduction	119	258
Books	625	944
Other, minor tools & equip.	87	59
Plumbing	210	927
Bldg. Materials	16	0
Shop supplies, tools/minor equip.	20	117
Photographic	325	33
General	2	0
TOTAL SUPPLIES & MATERIALS	<u>\$ 1,594</u>	<u>\$ 2,742</u>
COMMUNICATIONS:		
General	\$ 2	\$ 0
Telephone-long distance usage	241	525
Postage & mailing	673	1,280
Telephone--STS usage	168	213
Other-local service & equip.	4	9
TOTAL COMMUNICATIONS	<u>\$ 1,087</u>	<u>\$ 2,027</u>
TRAVEL:		
In-State Personal Car Mileage	\$ 2,031	\$ 4,834
In-State Commercial Travel	75	124
In-State Motor Pool	3,205	659
In-State Other	11	4
In-State Meals	1,410	2,046
In-State Lodging	1,533	2,126
TOTAL TRAVEL	<u>\$ 8,265</u>	<u>\$ 9,793</u>

BOARD OF PLUMBERS

	<u>FY 82</u>	<u>FY 83</u>
RENT:		
Storage	\$ 336	\$ 627
TOTAL RENT	\$ 336	\$ 627
REPAIR & EQUIPMENT:		
Office Equipment	\$ 22	\$ 9
Maintenance Contracts	60	79
TOTAL REPAIR & MAINTENANCE	\$ 82	\$ 88
OTHER EXPENSES:		
Dues	\$ 100	\$ 100
Photo. film process	5	68
Reg. Fees for Train. Confer.	0	30
TOTAL OTHER EXPENSES	\$ 105	\$ 198
TOTAL OPERATING EXPENSES	\$ 14,423	\$ 16,022
TOTAL EQUIPMENT	\$ 419	\$ 743
TRANSFER ADMINISTRATIVE COSTS	\$ 6,119	\$ 6,664
TOTAL ALL EXPENDITURES	\$ 50,293	\$ 61,677
TOTAL APPROPRIATION	\$ 65,687	\$ 71,118
UNEXPENDED APPROPRIATION	\$ 15,393	\$ 9,441
CASH BALANCE - FYE	\$ 29,273	\$ 29,854

VII. BOARD MEMBERSHIP DURING BIENNIUM

William Tooley, 1649 Lynn, Billings, MT	5/4/85
Dan Fraser, Dept. of Health, Helena, MT	Indef.
Donald Kristensen, 7380 Eagle Rd., Bozeman, MT	5/4/83
Mike Mizenko, 3233 8th Ave. So., Great Falls, MT	5/4/82
Floyd Stewart, 129 E. Park, Butte, MT	5/4/82
Walter E. Tynes, P.O. Box 127, Ulm, MT	5/4/83
Roy Prussing, P.O. Box 20492, Billings, MT	5/4/84
Daniel P. Antonietti, 5 Wood Ct., Helena, MT	7/1/83
Mitchell Mihailovich, 1900 Elm St., Butte, MT	5/4/86
William A. Christman, 8063 Canyon Ferry Rd. Helena, MT	7/1/83
Kastor Simensen, 420 Hwy. #2, Wolf Point, MT	5/4/86

VIII. LEGISLATIVE OR COURT ACTION AFFECTING THE BOARD

NONE

IX. RECOMMENDATIONS FOR ADMINISTRATION OF PROGRAM

Legislation to recombine code enforcement and licensing.
Revamp laws and rules and proposed legislation in 1985.

BOARD OF PLUMBERS

SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITIONFY 82FY 83COMPLAINTDISPOSITION

Unlicensed persons working at the field of plumbing.	Resolved through field investigations, letters and phone.	* 22	* 20
	Cases filed with C.A. --	* 8	* 19
	Guilty	6	10
	Pending	0	3
	Restraining order	0	1
	Complied	1	2
	Case dismissed	1	3
	Statute exemption	* 0	* 3
	Pending - unresolved	* 8	* 4
Complaints against master plumbers resolved.		* 9	* 17
No permit	Letter from Board	2	1
Code violations	Resolved through field investigations, letters and Mechanical Safety Bureau.	2	7
Code violations - refuse to correct.	Corrections made by another licensed plumber, at the request of the owner. Case closed by Board.	0	1
Working unlicensed persons at the field of plumbing.	Resolved through field investigations and letters.	2	3
Working unregistered apprentice.	Resolved through field investigation and Board	0	1
Loaning license	Resolved through field investigations, letters of explanation on file.	2	0
Loaning license, no permit, code violations and working unlicensed persons at the field of plumbing.	Resolved through field investigations, formal hearing and the Board revoked the licensed.	0	1
Loaning license	Resolved through field investigation, Staff Attorney, Board, and licensee placed on 1 year probation.	0	1

Page 2 Summary of complaints continued - Board of Plumbers

<u>COMPLAINT</u>	<u>DISPOSITION</u>	<u>FY 82</u>	<u>FY 83</u>
Dereliction of duty - work not performed and material not supplied.	Resolved through field investigation and Board.	0	1
No permit, code violations and working unregistered apprentice.	Resolved through field investigation, letters and Mechanical Safety Bureau.	0	1
Working at the field of plumbing while license has expired.	Resolved through field investigation. Letter on file stating he is leaving the State of Montana.	1	0
Complaints against master plumbers unresolved.		* 4	* 1
Working unregistered apprentice.	Field investigation verified complaint. Letter sent to Board stating name of apprentice and Dept. of Labor to be contacted.	2	0
Code violations and incompetency.	Field investigation, phone, letters and waiting Board action.	1	0
Code violations, incompetency and loaning of license.	Field investigation, phone, letters and waiting Board action.	1	0
Code violations - refuses to correct, employing unlicensed persons and alleged false documents.	Field investigations - As requested by the Board, a formal hearing is in progress.	0	1
Complaints against journeyman plumbers resolved.		* 5	* 4
Code violations	Resolved through field investigation and Board action.	0	2
Contracting without a master license.	Resolved through field investigation, letters from the Board and statements on file from licensees.	4	2
Contracting without a master license and code violations.	Resolved through field investigation. A letter is on file confirming a master is now affiliated with this company.	1	0
Complaints against journeyman plumbers unresolved.		* 4	* 1
Contracting without a master license.	Field investigation, letter and two complaints each licensee. Case before Board for action.	3	0

<u>COMPLAINT</u>	<u>DISPOSITION</u>	<u>FY 82</u>	<u>FY 83</u>
Contracting without a master license.	Field investigation - letter sent from Board to licensee explaining statutes, requesting answer.	1	1
	Grand total of complaints	* 60	* 69

I. GOALS AND OBJECTIVES

Goals: The goals of the Private Investigators and Security Patrolmen are to promote, preserve and protect the safety and welfare of the general public through effective control and regulations of this profession.

Objectives: To assure the public that persons representing themselves as private investigators and security patrolmen are fully qualified by investigating complaints received against the profession and licensees; proctoring examinations as needed and issuing licenses to successful candidates.

II. SUMMARY OF BOARD ACTIVITIES

Prior to April 18, 1983, the licensing of private investigators and security patrolmen were licensed under the Professional and Occupational Licensing Bureau, Department of Commerce. The Board of Private Security Patrolmen and Investigators was created by the 1983 Legislature and appointed in September, 1983.

III. STATISTICS ILLUSTRATING BOARD ACTIVITIES CONCERNING LICENSING

Examinations Given by Category:	<u>FY 82</u>	<u>FY 83</u>
Private Investigator	30	27
Private Alarm Installer	7	6
Private Patrol Operator	10	11
Private Security Guard Operator	3	0
Private Merchant Patrol	2	2

Licenses Renewed by Category:

Private Investigator	80	99
Private Alarm Installer	24	27
Private Patrol Operator	33	39
Private Security Guard Operator	8	10
Private Merchant Patrol	5	9

Total Licensees at FY End by Category:

Licensees	150	184
-----------	-----	-----

IV. SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION

<u>TYPE OF COMPLAINT</u>	<u>DISPOSITION</u>	
Letter re Roy Cisneros from Lawrence Blanchard	Explanation from complaintee - deemed okay	1
Phone Call re Roy Cisneros from Captain Dahl	Phone call from complaintee explain- ing no intent to represent a law officer	1

PRIVATE INVESTIGATORS

<u>TYPE OF COMPLAINT</u>	<u>DISPOSITION</u>	<u>FY 82</u>	<u>FY 83</u>
Phone Call re Albert G. Kober from Jack Hyde	Complainee licensed		1

V.

NUMBER OF LICENSES REVOKED OR SUSPENDED BY CATEGORY OR OTHER DISCIPLINARY ACTION

Failure to Pay Renewal Fees:	6	0
------------------------------	---	---

VI.

FISCAL INFORMATION

REVENUE:

Original/Renewal	\$ 1,615	\$ 1,130
Application fee	1,405	1,385
Exam fee	450	280
Security Check fee	405	455
TOTAL REVENUE	\$ 3,875	\$ 3,250

EXPENDITURES:

PERSONAL SERVICES:

Salaries	\$ 1,684	\$ 3,391
Employee Benefits	309	630
TOTAL PERSONAL SERVICES	\$ 1,993	\$ 4,021

CONTRACTED SERVICES:

Legal Fees & Court Costs	\$ 32	\$ 0
Printing	0	355
TOTAL CONTRACTED SERVICES	\$ 32	\$ 355

SUPPLIES & MATERIALS:

Office	\$ 79	\$ 67
Photo & Reproduction	49	0
Books & References	0	30
TOTAL SUPPLIES & MATERIALS	\$ 128	\$ 97

COMMUNICATIONS:

Postage & Mailing	\$ 333	\$ 316
Telephone - STS Usage	30	28
General	29	
TOTAL COMMUNICATIONS	\$ 392	\$ 344

TRAVEL:

In-State Car Mileage	\$ 31	\$ 0
In-State Meals	10	0
TOTAL TRAVEL	\$ 41	\$ 0

RENT:

Buildings	\$ 0	\$ 206
TOTAL RENT	\$ 0	\$ 206

REPAIR & MAINTENANCE:

Maintenance Contracts	\$ 0	\$ 16
TOTAL REPAIR & MAINTENANCE	\$ 0	\$ 16

TRANSFER ADMINISTRATIVE COSTS	\$ 571	\$ 559
-------------------------------	--------	--------

PRIVATE INVESTIGATORS

	FY 82	FY 83
TOTAL ALL EXPENDITURES	\$ 3,157	\$ 5,598
TOTAL APPROPRIATION	\$ 4,115	\$ 5,524
UNEXPENDED APPROPRIATION	\$ 959	\$ (-75)
CASH BALANCE - FYE	\$ 7,069	\$ 4,312

VII. BOARD MEMBERSHIP DURING BIENNIUM

Board of Private Security Patrolmen and Private Investigators was not appointed until September, 1983.

VIII. LEGISLATIVE OR COURT ACTION AFFECTING THE BOARD

House Bill 523 created the Board of Private Security Patrolmen and Investigators, effective April 18, 1983.

IX. RECOMMENDATIONS FOR ADMINISTRATION OF PROGRAM

Prepare new exams
 Promulgate new rules
 Obtain FTE to manage workload
 Develop bibliography for exams
 Develop complaint procedure
 Continue to revise and update rules

BOARD OF PROFESSIONAL ENGINEERS
AND LAND SURVEYORS

I. GOALS AND OBJECTIVES

Goals: To safeguard life, health and property, and to promote public welfare, by endeavoring to assure that only qualified applicants become licensed. Simultaneously, it remains constantly vigilant, regulating the practices of engineering and land surveying by registered professionals. Seeking more advanced techniques in education, regulation and examinations is the constant responsibility of the board, as well as to investigate alleged complaints against registrants.

Objectives: Provide information and assistance to the public, applicants, registrants, and other state agencies and public bodies as needed or required.

Review qualifications of over 500 applicants a year, provide semi-annual examinations for 365 examination candidates per year, certify 155 reciprocity engineers per year and certify or register those who successfully pass examinations.

Act on complaints involving registrants in accordance with the law and rules and Administrative Procedures Act.

Cooperate with colleges and universities to encourage certification of all engineering students, and improving their current and planned curricula for engineers and land surveyors in training.

II. SUMMARY OF BOARD ACTIVITIES

A total of seven board meetings were held during the biennium, three in FY 82 and four in FY 83. Four of the meetings were three day meetings, one was a two day meeting and two were one day meetings.

The renewal system was revamped and is on computer thus making it more feasible to renew all licensees at two year intervals.

The 1981 Legislature passed a bill allowing the renewal date to be changed by the Department. The renewal date will change to July 1 in 1986.

III. STATISTICS ILLUSTRATING BOARD ACTIVITIES CONCERNING LICENSING

Applications Received by Category:		<u>FY 82</u>	<u>FY 83</u>
(EIT)	Engineer in Training	294	329
(PE)	Professional Engineer - Exam	65	64
(PE)	Professional Engineer - Rec.	146	127
(LSIT)	Land Surveyor-in-training	11	10
(LS)	Land Surveyor - Exam	12	25
(LS)	Land Surveyor - Rec.	18	7
(ES)	Land Surveyor/Engineer	3	2

BOARD OF PROFESSIONAL ENGINEERS
AND LAND SURVEYORS

		<u>FY 82</u>	<u>FY 83</u>
Examinations Given by Category (Passing):			
(EIT)	Engineer-in-training	(220) 263	(231) 279
(PE)	Professional Engineers	(55) 63	(42) 51
(LSIT)	Land Surveyor-in-training	(5) 12	(3) 9
(LS)	Land Surveyor	(16) 25	(12) 25

New Licenses Granted by Category:

Engineer-in-training	226	260
Professional Engineer	201	171
Land Surveyor-in-training	3	8
Land Surveyor	10	24
Engineer/Land Surveyor	2	2

Registrants Renewed by Category:	$\frac{1}{2}$ biennium	biennium
Professional Engineers	1,139	2,420
Land Surveyors	130	281
Engineer/Land Surveyor	155	222

IV. SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION

<u>TYPE OF COMPLAINT</u>	<u>DISPOSITION</u>		
Incomplete Survey Work:			
Carry-over from FY 81:	-Surveys completed and closed	2	
	-Failure to submit survey report (pending)	1	closed
	-Survey not complete (pending)	2	closed
False or Illegal Advertising	-Advertising as "Outlaw Engineer" (pending)	1	closed
	-Telephone misrepresentation (pending)	2	closed
Dispute with Highway Department on wage scale for LS and must be under supervision of licensed LS	-Letter written by Board stating must be under direction of licensed LS - closed.	1	
False Advertising	-Looks like person is PE or LS when person is neither	1	
	-Letter written (pending)		closed
Failure to carry out terms of survey contract	-Question as to whether pins were set. Must present evidence pins not set.	1	closed

BOARD OF PROFESSIONAL ENGINEERS
AND LAND SURVEYORS

<u>TYPE OF COMPLAINT</u>	<u>DISPOSITION</u>	<u>FY 82</u>	<u>FY 83</u>
Competency record requested	Practicing without license & during suspension period Professional misconduct (pending in 82)	1	License Revoked
Accepting bids	Bids accepted from unlicensed persons. Complied.		1
No corner recordation	Complied. Closed.		1
Accepting gratuities	Fired from job. Letter written by board. Reprimand remain in file on record. Closed.		1
Professional Misconduct	Misuse of LS license (pending - 83)		1
	Mishandling of project - appeared before board - will meet the requirements of contract. Closed.		1
Reinstatement of license	Compliance with the Board's stipulations for relicensure		1
Use of word "engineering"	Asked to remove word from advertising (pending in 83)		2
Calling himself an engineer when not licensed.	Letter of apology to the Board for not removing from wallet card before printed. Closed		1

V.

FISCAL INFORMATION

REVENUE:

Engineer Renewal	\$ 44,134	\$ 27,306
Engineer Replacement	12	0
Engineer Original Application	11,580	10,140
EIT Original Application	8,786	9,220
Land Surveyor Renewal	4,990	2,940
Land Surveyor Original	1,340	1,130
Surveyor-in-training App.	290	360
Engineer/Surveyor Renewal	7,490	3,060
Engineer/Surveyor Original	300	100

BOARD OF PROFESSIONAL ENGINEERS
AND LAND SURVEYORS

	FY 82	FY 83
Engineer Seals (Inc. in 82 Documents) \$	0	\$ 3,553
Temp. Permits (Inc. in 82 Documents)	0	1,500
Copies of Documents	4,936	1,183
Land Surveyor Re-exam	210	120
Engineer Re-exam	150	120
EIT Re-exam	240	270
LSIT Re-exam	90	90
TOTAL REVENUE	<u>\$ 84,548</u>	<u>\$ 61,092</u>

EXPENDITURES:

PERSONAL SERVICES:

Salaries	\$ 28,529	\$ 31,500
Hourly Wages	2,087	0
Other Compensation - Board	2,519	2,600
Employee Benefits	5,892	5,989
TOTAL PERSONAL SERVICES	<u>\$ 39,027</u>	<u>\$ 40,089</u>

CONTRACTED SERVICES:

Consultant & Prof. Services	\$ 533	\$ 995
Data Process Services	1,069	2,050
Legal Fees & Court Costs	499	0
Printing	7,653	2,515
Written Examination Fees	6,986	7,368
TOTAL CONTRACTED SERVICES	<u>\$ 16,740</u>	<u>\$ 12,928</u>

SUPPLIES & MATERIALS:

Office	\$ 2,906	\$ 4,891
Photo & Reproduction	333	15
Printing	187	0
Carpentry	38	0
Books & Reference Materials	23	171
Building Materials	32	0
Electrical	20	0
Beverages	6	0
General	0	9
TOTAL SUPPLIES & MATERIALS	<u>\$ 3,548</u>	<u>\$ 5,086</u>

COMMUNICATIONS:

Telephone - Long Distance Usage	\$ 567	\$ 598
Postage & Mailing	3,561	2,873
Telephone - STS	221	172
TOTAL COMMUNICATIONS	<u>\$ 4,349</u>	<u>\$ 3,643</u>

TRAVEL:

In-State Personal Car Mileage	\$ 1,882	\$ 1,610
In-State Commercial Transport	184	644
In-State Motor Pool	49	106
In-State Other	0	782
In-State Meals	858	973
In-State Lodging	993	1,129
In-State Car Rental	0	95

BOARD OF PROFESSIONAL ENGINEERS
AND LAND SURVEYORS

	FY 82	FY 83
Out-of-State Personal Car Mileage	\$ 1,177	\$ 784
Out-of-State Commercial Trans.	166	1,046
Out-of-State Meals	342	449
Out-of-State Lodging	598	941
Out-of-State Other	42	0
TOTAL TRAVEL	\$ 6,291	\$ 8,559
RENT:		
Building	\$ 0	\$ 1,234
Office Equipment	0	50
Meeting Rooms	0	370
TOTAL RENT	\$ 0	\$ 1,654
REPAIR & MAINTENANCE:		
Maintenance Contracts	\$ 120	\$ 216
TOTAL REPAIR AND MAINTENANCE	\$ 120	\$ 216
OTHER EXPENSES:		
Dues	\$ 1,255	\$ 1,535
Pro Rate Charges	35	0
Regis. Fees for Training Conf.	539	1,067
Freight & Express	54	116
TOTAL OTHER EXPENSES	\$ 1,883	\$ 2,717
EQUIPMENT:		
Office	\$ 0	\$ 405
TOTAL OFFICE EQUIPMENT	\$ 0	\$ 405
TRANSFER ADMINISTRATIVE COSTS	\$ 14,894	\$ 16,578
TOTAL ALL EXPENDITURES	\$ 86,847	\$ 91,876
TOTAL APPROPRIATION	\$101,569	\$110,081
UNEXPENDED APPROPRIATION	\$ 14,722	\$ 18,205
CASH BALANCE - FYE	\$ 82,050	\$ 49,767

VI. BOARD MEMBERSHIP DURING BIENNIUM - FY 82

Louis Fontana, 200 13th St. No., Great Falls, MT	7/1/82
Maurice Guay, 215 S. 2nd W., Missoula, MT	4/23/85
James Spring, 202 Grand Ave., Billings, MT	7/1/86
Dennis O. Blackketter, MSU, Bozeman, MT	4/23/83
Don Henen, 4033 6th Ave. So., Great Falls, MT	7/1/83
Robert T. Hafferman, 95 - 4th Ave. W.N., Kalispell, MT	4/23/84
A. T. Kersich, Box 31318, Billings, MT	4/23/84
Donald Pimperton, Box 486, Fort Benton, MT	3/31/83
C. E. Abramson, 8807 Hellgate Station, Missoula, MT	3/31/83

BOARD OF PROFESSIONAL ENGINEERS
AND LAND SURVEYORS

BOARD MEMBERSHIP DURING BIENNIUM - FY 83

Louis Fontana, 200 13th St. No., Great Falls, MT	7/1/86
Maurice Guay, 215 S. 2nd W., Missoula, MT	4/23/85
James Spring, 2020 Grand Ave., Billings, MT	7/1/86
Dennis O. Blackketter, MSU, Bozeman, MT	4/23/87
Dick Guenzi, Box 127, Glendive, MT	7/1/87
Robert T. Hafferman, 95 - 4th Ave., W.N., Kalispell	4/23/84
A. T. Kersich, Box 31318, Billings, MT	4/23/84
Donald Pimperton, Box 486, Fort Benton, MT	3/31/87
Nancy Moe, 430 Ryman, Missoula, MT	3/31/87

VII. LEGISLATIVE ACTION AFFECTING THE BOARD

Senate Bill 340 - additional qualification for being a land surveyor. Ten years of combined office and field experience with a minimum of six years in charge of land surveying projects in Montana, under the supervision of a registered land surveyor and has passed the examination required.

BOARD OF PSYCHOLOGISTS

I. GOALS AND OBJECTIVES

Goals: To protect the public health, safety and welfare and should therefore be subject to regulation and control in the public interest in order to protect the public from the unauthorized and unqualified practice of psychology and from unprofessional conduct by persons licensed to practice psychology.

Objectives: The Board is responsible for evaluating applications, administer oral and written examinations, and grant licenses to qualified psychologists.

Provide information and assistance to the public, applicants, registrants and other state agencies and public bodies as required.

Act on complaints involving registrants in accordance with the law, rules and Administrative Procedures Act.

II. SUMMARY OF BOARD ACTIVITIES

The Board held four regular board meetings, administering oral and written examinations during these meetings. In FY 82, two meetings were held and in FY 83 two meetings were held. Six conference calls were held in FY 82 and nine in FY 83.

The renewal system was changed and put on computer, thus simplifying the renewal process.

III. STATISTICS ILLUSTRATING BOARD ACTIVITIES CONCERNING LICENSING

	<u>FY 82</u>	<u>FY 83</u>
Applications Received by Category	11	13
Examinations Given by Category	4	8
New Licenses Granted by Category		
Exam	4	8
Reciprocity	3	3
Licenses Renewed by Category	107	123

IV. SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION

<u>TYPE OF COMPLAINT</u>	<u>DISPOSITION</u>	
Unprofessional Conduct	No grounds - closed	3
Revocation of License	Pending	1
Formal Hearings scheduled since licensure denied because education was not in psychology	License denied for 6 months until supervised experience and added study of areas designated completed. Done.	1
	Was allowed to take the written and oral exam.	1
	Pending.	

FY 82

FY 83

V. NUMBER OF LICENSES REVOKED OR SUSPENDED BY CATEGORY OR
OTHER DISCIPLINARY ACTION

Revoked	0	0
Suspended	0	0
Other Disciplinary Action	0	0
Failure to Pay Renewal Fee	2	5

VI. FISCAL INFORMATION

REVENUE:

Psychologist Application	\$ 710	\$ 845
Psychologist Examination	506	900
Psychologist Certificate	12	155
Psychologist Renewal	7,173	11,281
TOTAL REVENUE	\$ 8,402	\$ 13,181

EXPENDITURES:

PERSONAL SERVICES:

Salaries	\$ 1,118	\$ 2,198
Other Compensation - Per Diem	450	425
Employee Benefits	226	418
TOTAL PERSONAL SERVICES	\$ 1,794	\$ 3,041

CONTRACTED SERVICES:

Consultation & Prof. Services	\$ 245	\$ 0
Data Processing Services	0	270
Legal Fees & Court Costs	2,976	573
Printing	185	76
Written Examination Fees	632	666
TOTAL CONTRACTED SERVICES	\$ 4,038	\$ 1,585

SUPPLIES & MATERIALS:

Office	\$ 12	\$ 35
Photo & Reproduction	133	0
Printing	9	0
Books & Reference Materials	73	77
TOTAL SUPPLIES & MATERIALS	\$ 227	\$ 112

COMMUNICATIONS:

Telephone - Long Distance	\$ 208	\$ 179
Postage & Mailing	240	374
Telephone - STS Usage	19	228
Telephone - One Time Charges	11	0
TOTAL COMMUNICATIONS	\$ 478	\$ 782

TRAVEL:

In-State Personal Car Mileage	\$ 608	\$ 693
In-State Motor Pool	0	52
In-State Meals	179	184
In-State Lodging	76	110
TOTAL TRAVEL	\$ 863	\$ 1,038

BOARD OF PSYCHOLOGISTS

	<u>FY 82</u>	<u>FY 83</u>
RENT:		
Buildings	\$ 0	\$ 206
TOTAL RENT	\$ 0	\$ 206
REPAIR & MAINTENANCE:		
Maintenance Contracts	\$ 0	\$ 46
TOTAL REPAIR & MAINTENANCE	\$ 0	\$ 46
OTHER EXPENSES:		
Dues	\$ 200	\$ 420
Freight & Express	5	0
TOTAL OTHER EXPENSES	\$ 205	\$ 420
TRANSFER ADMINISTRATIVE COSTS	\$ 1,526	\$ 1,700
TOTAL ALL EXPENDITURES	\$ 9,128	\$ 8,929
TOTAL APPROPRIATIONS	\$ 11,567	\$ 13,241
UNEXPENDED APPROPRIATION	\$ 2,439	\$ 4,312
CASH BALANCE - FYE	\$ 5,453	\$ 9,422

VII. BOARD MEMBERSHIP DURING BIENNIUM

Dr. J. Bailey Molineux, 107 7th Ave., Helena, MT	9/1/82
Dr. Dick Wimmers, Box 1453, Conrad, MT (resigned)	9/1/83
Dr. James Walsh, 2340 55th St., #15, Missoula, MT	9/1/84
Janice Anderson, Box 340, Boulder, MT - Public Member	10/7/84
Ennola C. Baggenstoss, Rt. 2, Choteau, MT - Pub. Member	10/7/84

NEW MEMBERS FOR FY 83

Dr. Phillip Russell, 2303 Grand, St. 7, Billings, MT	9/1/85
Dr. Kay Dorr, South Star Route 289, Nashua, MT	9/1/86

VIII. LEGISLATIVE OR COURT ACTION AFFECTING THE BOARD

NONE

IX. RECOMMENDATIONS FOR ADMINISTRATION OF PROGRAM

Will adopt Standards for Education and Credentialing as Board policy. Revamp oral examination and adopt rules to be more consistent with questions. More in-put by the Montana Board to national associations and exam services.

I. GOALS AND OBJECTIVES

Goals: To establish a Positive Enforcement Program (PEP) that will decrease or eliminate sub-standard work and will enable the Board to deal with complaints of this nature in a positive and constructive way.

Objectives: To administer the semi-annual CPA examination, license all successful applicants for certification as CPAs and LPAs, renew all registered CPAs and LPAs on a yearly basis, investigate submitted formal complaints against members of the public accounting profession. Monitor and evaluate CPE programs for proper CPE credit, as required by the continuing education section of Board rules.

II. SUMMARY OF BOARD ACTIVITIES

The Board purchased an IBM word processor and is in the process of entering all pertinent information on licensees and candidates into this system. CPE reports, renewal forms, address labels, etc. are available on a continual updated basis.

Eight Board meetings and four CPA examinations were held during the biennium. Each Board meeting was a two-day meeting, four were held in FY 82 and four were held in FY 83. CPA exams were given in May and November of each fiscal year.

Legislation was submitted to the 1983 Legislative Session to allow the Board to establish a two-tier licensing system. This legislation was passed but did not become effective until October 1, 1983.

III. STATISTICS ILLUSTRATING BOARD ACTIVITIES CONCERNING LICENSING

Application Received by Category:	<u>FY 82</u>	<u>FY 83</u>
Reciprocity/Trans. of Grades - CPA	33	29
Examination - Initial and re-exams (before cancels)	628	656
Examinations Given by Category (Passing)	(136)554	(179)594
New Licenses issued by Category -	132 CPA	142 CPA
CPAs & LPAs	3 LPA	1 LPA
Licenses renewed by Category -	1,346 CPA	1,416 CPA
CPAs & LPAs	84 LPA	74 LPA
Total Licensees at FY end by Category	1,478 CPA	1,558 CPA
	87 LPA	75 LPA

BOARD OF PUBLIC ACCOUNTANTS

FY 82

FY 83

IV.

SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION

<u>TYPE OF COMPLAINT</u>	<u>DISPOSITION</u>	
Carry-over from FY 81		
Negligence & sub-standard work	CPE courses to be taken next 6 reports to be submitted to board for review. CPE taken in 82 and one report submitted in 83	1
Violation of professional ethics - possible criminal charges	Board has no jurisdiction. No action taken until outcome of civil suit, Settled.	1
Suspended licensee practicing. Suspension is for non-payment of fees.	Turned over to county attorney - fees paid. Closed	1
Possible sub-standard work in three govt. audits by licensee.	Review of future audits including work papers, etc., will be done before submission of audit report. Reimbursement of costs. Closed.	1
Errors in tax form and overcharging.	Mistakes corrected before returns were filed. No jurisdiction over fees. Closed.	2
Illegal & misleading advertising	Letter written that name of licensee advertised in conjunction with name of computer firm is misleading to public. Cease use of ad. Closed.	1
Tax work untimely and unauthorized information added to forms	Work done on basis of when it was submitted. Information added to forms was authorized by client at an early meeting. Closed	1
Work done on untimely basis and records not returned to client	Work done on basis of how it was submitted. Records were returned upon repeated request. Personality conflict involved. Pending.	1

FY 82FY 83

V. NUMBER OF LICENSES REVOKED OR SUSPENDED BY CATEGORY OR
OTHER DISCIPLINARY ACTION

Revoked	0	0
Suspended	23*	18**
Other Disciplinary Action	1	1
Failure to Pay Renewal Fee	34	27

* FY 82 - 11 were re-instated by payment of fee
23 were suspended, as noted above

** FY 83 - 9 were re-instated by payment of fee
18 were suspended, as noted above

VI. FISCAL INFORMATION

REVENUE:

CPA Original Certificate	\$ 6,600	\$ 7,100
LPA Original Certificate	150	50
CPA Renewal	67,300	70,800
LPA Renewal	4,200	3,700
Reciprocity	1,400	1,900
Other	525	1,552
Copies	243	420
CPA Exam - Initial	12,140	24,010
CPA Exam - Re-exam	10,600	15,535
TOTAL REVENUE	\$103,158	\$125,067

EXPENDITURES:

PERSONAL SERVICES:

Salaries	\$ 22,060	\$ 33,873
Other Compensation - Board	2,423	2,725
Employees Benefits	4,354	6,520
TOTAL PERSONAL SERVICES	\$ 28,837	\$ 43,119

CONTRACTED SERVICES:

Consultant & Prof. Services	\$ 1,975	\$ 1,020
Data Processing Services	0	7
Legal Fees and Court Costs	1,048	0
Printing	1,178	2,161
Written Exam Fees	21,324	22,429
General	0	47
TOTAL CONTRACTED SERVICES	\$ 25,523	\$ 25,665

SUPPLIES & MATERIALS:

Food	\$ 5	\$ 0
Office	918	644
Photo & Reproduction	196	0
Printing	158	0
Books & Reference Materials	620	216
Building Materials	16	0
General	0	57
TOTAL SUPPLIES & MATERIALS	\$ 1,914	\$ 916

BOARD OF PUBLIC ACCOUNTANTS

	<u>FY 82</u>	<u>FY 83</u>
TOTAL APPROPRIATION	\$125,297	\$121,813
UNEXPENDED APPROPRIATION	\$ 28,330	\$ 17,228
CASH BALANCE - FYE	\$125,335	\$130,450

VII. BOARD MEMBERSHIP DURING FY 82

Jack Dobbins, CPA, 3819 Stephens, Missoula, MT	7/1/83
Patricia DeVries, CPA, Box 562, Polson, MT	7/1/84
Clinton Frazee, CPA, 112 E. Lincoln, Bozeman, MT	7/1/85
Arne Traeholt, LPA, Box 518, Wolf Point, MT	7/1/84
Steven Smith, Pub. Member, Box 30918, Billings, MT	7/1/82

J. Austin Miller, CPA, Box 518, Kalispell, MT	7/1/82
Don Belcher, Pub. Member, 1105 4th St. W., Roundup, MT	7/1/82

BOARD MEMBERSHIP DURING FY 83

Jack Dobbins, CPA, 3819 Stephens, Missoula, MT	7/1/83
Patricia DeVries, CPA, Box 562, Polson, MT	7/1/84
Clinton Frazee, CPA, 112 E. Lincoln, Bozeman, MT	7/1/85
Arne Traeholt, LPA, Box 518, Wolf Point, MT	7/1/84
Charlie Byrne, Pub. Member, Box 3204, Great Falls, MT	7/1/85

VIII. LEGISLATIVE ACTION AFFECTING THE BOARD

The 1983 Legislative Session passed Senate Bill #392 which gave the Board of Public Accountants authority to establish a two-tier licensing system, where a CPA candidate will be issued a certificate upon passing the exam and meeting the educational requirements. Then, if a candidate wants a permit to practice public accounting, he will have to meet the experience requirement and maintain the CPE required hours.

BOARD OF RADIOLOGIC TECHNOLOGISTS

I. GOALS AND OBJECTIVES

Goals: To assure that all X-ray procedures are performed by qualified, competent and experienced persons.

To continue working with the Department of Health on inspection for licensing compliance of X-ray personnel.

To make all X-ray locations aware of the licensing laws and to make them aware of the dangers of X-ray radiations.

To enforce the statutes affecting licensure of radiologic technologists.

Objectives: To help fund X-ray training programs to upgrade the personnel taking X-rays, particularly those who have not completed a 24-month course in radiologic technology.

II. SUMMARY OF BOARD ACTIVITIES

Examined and licensed permit persons and radiologic technologists to assure the public that persons performing X-rays are qualified.

Make the health care professions and the public aware of the danger of radiation overexposure, resulting in training programs for X-ray personnel giving needed attention to positioning, exposure, darkroom procedures and patient safety.

III. STATISTICS ILLUSTRATING BOARD ACTIVITIES CONCERNING LICENSING

Applications Received by Category:	<u>FY 82</u>	<u>FY 83</u>
Permit applications	39	21
Rad. Tech. applications	40	48

Examinations Given by Category (Passing):

General	(12) 15	(18) 25
Chest	(15) 15	(17) 19
Extremities	(11) 18	(14) 28
Skull	(7) 18	(3) 16
Spine	(7) 18	(6) 28
Other	(6) 13	(5) 11

New Licenses Granted by Category:

Permits	14	11
R. T. Licenses	44 (ARRT)	57 (ARRT)

BOARD OF RADIOLOGIC TECHNOLOGISTS

Licenses Renewed by Category:	<u>FY 82</u>	<u>FY 83</u>
Rad. Techs (biennial)	0	427
Permits (annual)	117	121
Total Licensees at FY End by Category:		
Permits	121	120
R.T.	499	432

IV. SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION

<u>TYPE OF COMPLAINT</u>	<u>DISPOSITION</u>	
Letters of complaint of unlicensed persons	letter written and individuals either got permit or are training for licensure	6
Unlicensed individuals	Letters written - 7 RT licenses issued one permit	8

V. NUMBER OF LICENSES REVOKED OR SUSPENDED BY CATEGORY OR OTHER DISCIPLINARY ACTION

Revoked	0	0
Suspended	0	0
Other Disciplinary Action	0	0

VI. FISCAL INFORMATION

REVENUE:

Rad. Tech. Certificate	\$ 540	\$ 725
Rad. Tech. License Orig/Renewal	680	9,145
Rad. Tech Permit Orig/Renewal	1,360	1,260
Temp. Permit	30	10
Rad. Tech Exam	260	220
TOTAL REVENUE	\$ 2,870	\$11,360

EXPENDITURES:

PERSONAL SERVICES:

Salaries	\$ 2,963	\$ 2,192
Other Compensation	375	550
Employee Benefits	609	448
TOTAL PERSONAL SERVICES	\$ 3,947	\$ 3,190

OPERATING EXPENSES:

CONTRACTED SERVICES:

Consult & Prof. Services	\$ 38	\$ 0
Legal Fees & Court Costs	112	0
Printing	187	282
Data Processing fees	0	9
Written exam fees	0	750
TOTAL CONTRACTED SERVICES	\$ 337	\$ 1,041

BOARD OF RADIOLOGIC TECHNOLOGISTS

	<u>FY 82</u>	<u>FY 83</u>
SUPPLIES & MATERIALS		
Office	\$ 64	\$ 79
Photo & Reproduction	50	0
Books & Reference Materials	0	34
Printing	90	24
TOTAL SUPPLIES & MATERIALS	<u>\$ 204</u>	<u>\$ 137</u>
COMMUNICATIONS:		
Telephone - Local Serv. & Equip.	\$ 2	\$ 0
Telephone - Long Distance	89	189
Postage & Mailing	424	514
Telephone - STS Usage	135	102
TOTAL COMMUNICATIONS	<u>\$ 650</u>	<u>\$ 805</u>
TRAVEL:		
In-State Personal Car Mileage	\$ 436	\$ 912
In-State Commercial Trans.	132	40
In-State State Motor Pool	5	5
In-State Meals	116	210
In-State Lodging	66	215
Out-of-State Personal Car Mileage	245	0
Out-of-State Meals	80	0
Out-of-State Lodging	160	0
TOTAL TRAVEL	<u>\$ 1,240</u>	<u>\$ 1,382</u>
TOTAL OPERATING EXPENSES:	<u>\$ 2,431</u>	<u>\$ 3,365</u>
RENT:		
Office	\$ 0	\$ 206
TOTAL RENT	<u>\$ 0</u>	<u>\$ 206</u>
REPAIR & MAINTENANCE:		
Maintenance Contract	\$ 0	\$ 11
TOTAL REPAIR & MAINTENANCE	<u>\$ 0</u>	<u>\$ 11</u>
GRANTS FROM STATE SOURCES		
To professional societies	\$ 100	\$ 300
TOTAL FROM STATE SOURCES	<u>\$ 100</u>	<u>\$ 300</u>
TRANSFER ADMINISTRATIVE COSTS	\$ 1,679	\$ 1,839
TOTAL APPROPRIATION	\$ 9,169	\$ 9,954
UNEXPENDED APPROPRIATION	\$ 1,012	\$ 1,044
CASH BALANCE - FYE	\$ 4,782	\$ 7,236

VII. BOARD MEMBERSHIP DURING BIENNIUM

Phil Harston, 1131 Jackson St., Missoula, MT	7/1/83
Dr. Howard Mazurkiewicz, 1101 25th St. So., Gt. Falls	7/1/84
Peggy Mothershead, Box 619, Bigson Rt., Big Timber, MT	7/1/84
Dail Lodge, 1111 Meadow Lane, Bozeman, MT	7/1/83

BOARD OF RADIOLOGIC TECHNOLOGISTS

VII. BOARD MEMBERSHIP DURING BIENNIUM (cont.)

Alice O'Donnell, 710 E. Commercial Ave.	7/1/84
Rosemary Cuskelly, 2222 Rattlesnake Rd., Missoula, MT	7/1/84
Donna Goodman, 529 Calhoun Lane, Billings, MT	7/1/82
John Eagleton, P.O. Box 1157, Glasgow, MT	Resigned

VIII. LEGISLATIVE OR COURT ACTION AFFECTING THE BOARD

None - FY 82

FY 82 - Authority for setting of renewal date transferred to Department, Chapter 390, Laws of 1983.

IX. RECOMMENDATIONS FOR ADMINISTRATION OF PROGRAM

To automate the renewal process for more efficient operation. Need more training classes for x-ray personnel, particularly those x-ray personnel who are taking limited x-rays and have no formal education or training. Have a better exam with practical as well as theory section for those persons who are not professional radiologic technologists. Legislation to clarify law, especially in the permit area, need to adopt unethical conduct rules.

BOARD OF REALTY REGULATION

I. GOALS AND OBJECTIVES

Goals: To regulate the licensing of real estate salespersons and brokers to safeguard the public interest in real estate transactions and require the maintenance of high ethical standards of all real estate licensees doing business with the public in the State of Montana.

Objectives: Provide an examination for salespersons and brokers which will adequately test the proficiency of the applicant concerning the field of real estate.

Investigate all negligent handling of real estate matters by licensees that become apparent from complaints or auditing of trust accounts.

II. SUMMARY OF BOARD ACTIVITIES

Program of auditing broker trust accounts continued. Adopted new Board rules concerning inactive status licensees. Reduced and brought to current status all legal matters.

III. STATISTICS ILLUSTRATING BOARD ACTIVITIES CONCERNING LICENSING

Applications Received by Category:	<u>FY 82</u>	<u>FY 83</u>
Salesperson	1,573	1,582
Brokers	400	321

Examinations Given by Category (Passing):		
Salesperson	(662) 1,317	(702) 1,361
Brokers	(171) 348	(134) 277

New Licenses Granted by Category:		
Salesperson	662	702
Brokers	171	134

Licenses Renewed by Category:		
Salesperson	1,738	1,894
Broker	1,761	1,863
Inactive Salesperson	1,327	1,153
Inactive Broker	220	169

Total Licensees at FYE by Category:		
Salesperson	1,847	2,131
Broker	1,822	1,927
Inactive Salesperson	1,409	1,176
Inactive Broker	225	182

Failure to Pay Renewal Fee		
Salesperson	37	58
Broker	35	37
Inactive Salesperson	140	327
Inactive Broker	7	65

BOARD OF REALTY REGULATION

IV.

SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION

		<u>FY 82</u>	<u>FY 83</u>
<u>TYPE OF COMPLAINT</u>	<u>DISPOSITION</u>		
Misrepresentation	-Failure to represent best interest of client. Administrative Reprimand.	0	1
	-Failure to provide proper supervision Administrative Reprimand	0	4
	-Listing agreements violated - Administrative Reprimand	1	0
	-Complaints dismissed - allegations not proven after investigation	51	34
	-Dismissed by Board Action - no formal complaint received.	4	1
	-Misrepresentation - pending	0	1
Failure to account for or remit money coming into his/her possession	-Trust account violation - suspension	0	3
	-Administrative Reprimand	0	1
	-Trust account check issued for license renewal - Administrative Reprimand	3	0
	-Trust account violations - Revocation	0	1
	-Pending trust account violations	0	5
Demonstrating unworthiness or incompetency to act as broker or salesperson	-NSF check for license renewal - Administrative Reprimand	4	0
	-Dismissed by Board action - no formal complaint received	4	1
	-Felony conviction - suspension	2	0

V.

NUMBER OF LICENSES REVOKED OR SUSPENDED BY CATEGORY OR OTHER DISCIPLINARY ACTION

Revoked - cancellation of bond	0	5
Suspended	2	21
Other Disciplinary Action - Administrative Reprimand	7	5

BOARD OF REALTY REGULATION

VI.

FISCAL INFORMATION

FY 82

FY 83

REVENUE:

Broker Original	\$ 8,650	\$ 6,775
Broker Renewal	52,095	60,525
Non-Resident broker orig/ren.	50	0
Salesperson Original	15,140	14,225
Salesperson Renewal	26,385	45,060
Branch Office	1,315	1,000
Address Change	18,615	32,035
Duplicate License	-15	0
Real Estate Other	9,885	2,585
Broker/Sales Initial Exam	27,635	40,530
Broker/Sales retake exam	15,885	14,105
Broker/Sales Reschedule Exam	1,505	1,580
Subdivision Notice of Intent.	200	100
Publications Issued	3,748	4,128
TOTAL REVENUE	\$181,093	\$222,648

EXPENDITURES:

PERSONAL SERVICES:

Hourly Wages - Employees	\$ 84,207	\$ 90,854
Other compensation - Board	1,163	0
Employee Benefits	16,109	17,369
TOTAL PERSONAL SERVICES	\$101,479	\$108,222

CONTRACTED SERVICES:

Insurance & Bonds	\$ 0	\$ 3,162
Consultant & Prof. Services	51	30
Data Processing Services	1,422	1,336
Legal Fees & Court Costs	5,192	2,314
Printing - Contracted	3,719	5,545
Written Exam Fees	32,635	23,534
TOTAL CONTRACTED SERVICES	\$ 43,017	\$ 35,920

SUPPLIES & MATERIALS:

Office	\$ 694	\$ 955
Photo & Reproduction	460	413
Printing - Duplicating	427	0
Books	861	538
Gas	22	0
Building Materials	64	0
Publication Expenses	91	0
TOTAL SUPPLIES & MATERIALS	\$ 2,618	\$ 1,906

COMMUNICATIONS:

Telephone - Long Distance Usage	\$ 213	\$ 642
Postage & Mailing	5,455	7,090
Telephone - STS Usage	1,521	643
General - Telephone	2	0
Telephone Local Serv. & Equip.	1	1
Telephone one-time charge	7	0
TOTAL COMMUNICATIONS	\$ 7,199	\$ 8,376

BOARD OF REALTY REGULATION

	FY 82	FY 83
TRAVEL:		
In-State Personal Car Mileage	\$ 1,560	\$ 1,197
In-State Commercial Transport.	703	0
In-State Motor Pool	3,723	4,266
In-State Other	473	39
In-State Meals	2,455	2,596
In-State Lodging	2,690	3,432
Out-of-State Personal Car Mileage	0	215
Out-of-State Commercial Transport.	0	591
Out-of-State Other	0	20
Out-of-State Meals	0	270
Out-of-State Lodging	0	375
TOTAL TRAVEL	\$ 11,604	\$ 13,001
RENT:		
Buildings	\$ 0	\$ 3,497
Meeting Rooms	57	0
TOTAL RENT	\$ 57	\$ 3,497
REPAIR & MAINTENANCE		
Maintenance Contracts	\$ 232	\$ 1,725
Building & Grounds	43	0
Office Equipment	420	58
TOTAL REPAIR & MAINTENANCE	\$ 695	\$ 1,782
OTHER EXPENSES:		
Freight & Express	\$ 4	\$ 9
Dues	534	498
Registration Fees for Train.	50	610
Subscriptions	487	116
TOTAL OTHER EXPENSES	\$ 1,075	\$ 1,233
EQUIPMENT:		
Data Processing	\$ 0	\$ 10,593
Office	1,280	1,366
TOTAL EQUIPMENT	\$ 1,280	\$ 11,959
TRANSFER ADMINISTRATIVE COSTS	\$ 40,728	\$ 45,381
TOTAL ALL EXPENDITURES	\$209,753	\$231,277
TOTAL APPROPRIATIONS	\$272,038	\$296,071
UNEXPENDED APPROPRIATIONS	\$ 62,285	\$ 64,794
CASH BALANCE - FYE	\$167,958	\$168,755

VII. BOARD MEMBERSHIP DURING BIENNIUM

Dexter Delaney, P.O. Box 8228, Missoula, MT	5/9/83
Marie Anderson, 408 Clark Ave., Billings, MT	5/9/84
A. Tom Lund, Sr., P.O. Box 233, Hamilton, MT	5/9/85
George Pierce, P.O. Box 30777, Billings, MT	5/9/86
Patricia Raundal, 509 Raymond St., Helena, MT	5/9/87
John B. Dudis, P.O. Box 759, Kalispell, MT	5/9/87

BOARD OF REALTY REGULATION

VIII. LEGISLATIVE OR COURT ACTION AFFECTING THE BOARD

NONE

IX. RECOMMENDATIONS FOR ADMINISTRATION OF PROGRAM

Establish a recovery fund to protect the public.
Eliminate bonding requirements presently in the law.

I. GOALS AND OBJECTIVES

Goals: To assure that the maximum protection of the human environment and thus human health is provided the people of Montana by insuring that only qualified individuals are licensed under the provisions of the laws of Montana. The importance of qualified individuals in this profession is equal to other health related professions, such as physicians, pharmacists, and engineers.

Objectives: To insure all applicants are qualified, review and take appropriate action on complaints and reports of improper conduct of licensees, review rules at least annually, initiate a requirement for continuing education.

II. SUMMARY OF BOARD ACTIVITIES

1 board meeting was held in FY 82. 1 board meeting in FY 83.

III. STATISTICS ILLUSTRATING BOARD ACTIVITIES CONCERNING LICENSING

Applications received:	<u>FY 82</u>	<u>FY 83</u>
Applications:	18	13
Examinations Given	22	11
New Licenses granted by category:		
Permanent registration	15	12
Reciprocity	2	4
Licenses renewed	124	146
Total Licensees at FYE	136	141

IV. SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION

No complaints were received.

V. NUMBER OF LICENSES REVOKED OR SUSPENDED OR OTHER DISCIPLINARY ACTION

Revoked	0	0
Suspended	0	0
Failure to pay renewal - license declared void	11	10

BOARD OF SANITARIANS

VI.

FISCAL INFORMATIONFY 82FY 83

REVENUE:

Renewals	\$ 3,990	\$ 4,050
Reciprocity	105	140
Exam	1,550	825
Documents	0	0
TOTAL REVENUE	\$ 5,645	\$ 5,015

EXPENDITURES:

PERSONAL SERVICES:

Hourly Wages - employees	\$ 1,850	\$ 1,694
Employee benefits	363	316
Other Compensation - board	50	50
TOTAL PERSONAL SERVICES	\$ 2,263	\$ 2,060

CONTRACTED SERVICES:

Legal Fees & Court Costs	\$ 2	\$ 0
Printing - contracted	150	99
Written examination	441	822
TOTAL CONTRACTED SERVICES	\$ 593	\$ 921

SUPPLIES & MATERIALS

Office	\$ 15	\$ 13
Photo & Reproduction	13	0
Books & reference materials	20	0
TOTAL SUPPLIES & MATERIALS	\$ 48	\$ 13

COMMUNICATIONS:

Telephone - long distance usage	\$ 0	\$ 0
Postage & Mailing	136	156
Telephone - STS Usage	16	7
TOTAL COMMUNICATIONS	\$ 152	\$ 163

TRAVEL:

In-State Personal Car Mileage	\$ 39	\$ 86
In-State Commercial Transport.	20	0
In-State Meals	17	13
TOTAL TRAVEL	\$ 76	99

RENT:

\$ 0	\$ 206
------	--------

REPAIR & MAINTENANCE:

Office Equip. (maintenance cont.)	\$ 22	\$ 3
TOTAL REPAIR & MAINTENANCE	\$ 22	\$ 3

OTHER EXPENSES

Dues	\$ 30	\$ 0
Freight & Express	2	0
TOTAL OTHER EXPENSES	\$ 32	\$ 0

TRANSFER ADMINISTRATIVE COSTS

\$ 663	\$ 604
--------	--------

TOTAL ALL EXPENDITURES

\$ 3,849	\$ 4,069
----------	----------

BOARD OF SANITARIANS

	FY 82	FY 83
TOTAL APPROPRIATION	\$ 4,738	\$ 5,200
UNEXPENDED APPROPRIATION	\$ 888	\$ 1,132
CASH BALANCE - FYE	\$ 8,446	\$ 9,038

VII. BOARD MEMBERSHIP DURING BIENNIUM

Stella Hansen, 414 West Broadway, Missoula, MT	7/1/84
Sam Kalafat, Box 494, Black Eagle, MT	7/1/86
Jim Peterson, Dept. of Health, Helena, MT	7/1/85

VIII. LEGISLATIVE OR COURT ACTION AFFECTING THE BOARD

None

IX. RECOMMENDATION FOR ADMINISTRATION OF PROGRAM

Meetings held in different areas of state to include additional participation by licensees.

Increased budget to more appropriately cover expenses and allow additional work to be done for board, as well as additional meetings.

BOARD OF SPEECH PATHOLOGISTS & AUDIOLOGISTS

I. GOALS AND OBJECTIVES

Goals: Establishment of a comprehensive Continuing Education Program that will be an effective tool for maintaining professional competence in the Speech Pathology and/or Audiology field.

Objectives: Process licensure applications and grant licensure to qualified applicants, renew all licensees on a biennial basis, investigate formal complaints, work with the Office of Public Instruction to resolve issues and problems that arise in the Speech Pathology/Audiology field in the public schools.

II. SUMMARY OF BOARD ACTIVITIES

Adoption of continuing educational rules. Increased fees to be commensurate with costs. Changed odd-even renewal to every even year.

III. STATISTICS ILLUSTRATING BOARD ACTIVITIES CONCERNING LICENSING

Applications Received by Category:	<u>FY 82</u>	<u>FY 83</u>
Speech Pathology	36	33
Audiology	8	5

Examinations Given by Category:

NONE

New Licenses Granted by Category:

Speech Pathology	19	25
Audiology	7	5

Licenses Renewed by Category:

Speech Pathology	144	88
Audiology	18	15

Total Licensees at FY End by Category:

Speech Pathology	163	133
Audiology	25	20

IV. SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION

<u>TYPE OF COMPLAINT</u>	<u>DISPOSITION</u>	
Illegal use of Audiology title	Discontinued use of title	1
Practicing without a license	Practicing under supervision	1
Advertising misleading	Changed advertisement	1

V.

NUMBER OF LICENSES REVOKED OR SUSPENDED BY CATEGORY OR
OTHER DISCIPLINARY ACTION

	<u>FY 82</u>	<u>FY 83</u>
Revoked	0	0
Suspended	0	0
Failure to Pay Renewal Fee		
Speech Pathology	22	35
Audiology	8	6

VI.

FISCAL INFORMATION

REVENUE:

Speech Orig/Renewal	\$ 3,600	\$ 2,200
Audio Orig/Renewal	450	365
Speech Application	1,475	1,310
Audio Application	355	195
Speech Inactive	30	20
Audio Inactive	10	10
Late Fees	68	215
TOTAL REVENUE	<u>\$ 5,988</u>	<u>\$ 4,315</u>

EXPENDITURES:

PERSONAL SERVICES:

Hourly Wages-employees	\$ 1,232	\$ 2,198
Other compensation-board	625	300
Employee Benefits	362	443
TOTAL PERSONAL SERVICES	<u>\$ 2,219</u>	<u>\$ 2,941</u>

CONTRACTED SERVICES:

Con. & Prof. Services	\$ 47	\$ 0
Data Processing Services	5	128
Legal Fees & Court Costs	656	0
Printing-Contracted	587	798
TOTAL CONTRACTED SERVICES	<u>\$ 1,295</u>	<u>\$ 926</u>

SUPPLIES & MATERIALS:

Office	\$ 83	\$ 36
Photo & Reproduction	113	0
Printing-Duplicating	68	0
Books	14	54
Food Service Expense	2	0
TOTAL SUPPLIES & MATERIALS	<u>\$ 280</u>	<u>\$ 90</u>

COMMUNICATIONS:

Telephone-Long Distance Usage	\$ 409	\$ 255
Postage & Mailing	401	411
Telephone--STS Usage	31	22
TOTAL COMMUNICATIONS	<u>\$ 841</u>	<u>\$ 688</u>

TRAVEL:

In-State Personal Car Mileage	\$ 683	\$ 858
In-State Commercial Trans.	658	169
In-State Other	9	0
In-State Meals	297	229
In-State Lodging	236	21
TOTAL TRAVEL	<u>\$ 1,883</u>	<u>\$ 1,277</u>

BOARD OF SPEECH PATHOLOGISTS & AUDIOLOGISTS

	<u>FY 82</u>	<u>FY 83</u>
RENT:		
Buildings	\$ 0	\$ 206
TOTAL RENT	\$ 0	\$ 206
REPAIR & MAINTENANCE		
Office Equipment	\$ 0	\$ 140
Main. Contract.	0	3
TOTAL REPAIR & MAINTENANCE	\$ 0	\$ 143
TOTAL OPERATING EXPENSES	\$ 4,299	\$ 3,330
TRANSFER ADMINISTRATIVE COSTS	\$ 998	\$ 983
TOTAL ALL EXPENDITURES	\$ 7,516	\$ 7,254
TOTAL APPROPRIATION	\$ 7,516	\$ 8,250
UNEXPENDED APPROPRIATION	\$ 100%	\$ 996
CASH BALANCE - FYE	\$11,284	\$ 9,012

VII. BOARD MEMBERSHIP DURING BIENNIUM

Shirley DeVoe, 418 Butler, Helena, MT	12/31/81
Dr. Charles Parker, University of MT, Missoula, MT	12/31/81
Lee E. Micken, 300 N. Willson, Bozeman, MT	12/31/83
Patricia Dubray, 2007 Miles Ave., Billings, MT	12/31/83
Bette Hiner, 831 Dove St., Glendive, MT	12/31/84
Mary Suzanne Bobowiec, Box 4234, Missoula, MT	12/31/84
Anne S. Weston, 521 South Sanders, Helena, MT	12/31/82

VIII. LEGISLATIVE OR COURT ACTION AFFECTING THE BOARD

None

IX. RECOMMENDATIONS FOR ADMINISTRATION OF PROGRAM

To change biennial renewal to annual.

I. GOALS AND OBJECTIVES

Goals: The goal of the Board of Veterinarians is to provide and assure protection to the public that those people practicing or commencing to practice veterinary medicine in Montana meet educational and professional standards of competence and to maintain that competency by regulation in accordance with the statutes and rules in the best interest of the public.

Objectives: To review complaints against licensees to determine if disciplinary actions are necessary, and if so, to initiate the same. To investigate complaints against individuals practicing veterinary medicine without a license. To examine qualified applicants for licensure as a veterinarian to assure that they are competent to practice by requiring passage of a written, practical and oral examination as required. To issue annual certificates of registration each year to licensed veterinarians who have satisfied the requirement of attendance at a continuing educational course approved by the Board and payment of the required fee. To review various continuing education programs and determine their pertinency and relevancy. To provide for the inspection of veterinary facilities to maintain uniform standards of sanitation and cleanliness.

II. SUMMARY OF BOARD ACTIVITIES

There were two Board meetings and examinations held in both FY 82 and FY 83.

The Board filed two notices of proposed rule changes and deletions and two rule adoption orders pertaining to the examination requirements, unprofessional conduct rules, and the repealing of the veterinary technician rules.

III. STATISTICS ILLUSTRATING BOARD ACTIVITIES CONCERNING LICENSING

	<u>FY 82</u>	<u>FY 83</u>
Applications Received by Category:		
Examination	57	52
Examinations Given by Category (Passing)		
Veterinarian	(52) 56	(45) 50
New Licenses Granted by Category:		
Veterinarian	51	42
Licenses Renewed by Category:		
Veterinarians	535	684
Total Licensees at FYE by Category:		
Veterinarian	680	702

BOARD OF VETERINARIANS

	<u>FY 82</u>	<u>FY 83</u>
Temporary Permits Issued:	11	11
Renewals Verified for Continuing Education:	535	684

IV. SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION

<u>TYPE OF COMPLAINT</u>	<u>DISPOSITION</u>			
Practicing without a license	Referred to County Attorney - Guilty Verdict on Appeal Letter of Warning Investigated - no one willing to testify Pending Dismissed	(1) 6 (3) (1) (2) (1)		2
Competence	No Violation Pending	(4) 3 (1)		2
Fees Charged	No Authority Referred to Consumer Affairs Unit	(1) 0		1
Prescribing (Renewal of prescription)	No Jurisdiction	(1) 0		1

Of the 15 complaints received in the biennium, six were filed by veterinarians, six by the public, one by a Board member, one from another state agency, and one that was filed anonymously.

There was one formal contested case hearing in FY 82 with no action taken, and another in FY 83 that was dismissed with prejudice.

V. NUMBER OF LICENSES REVOKED OR SUSPENDED BY CATEGORY OR OTHER DISCIPLINARY ACTION

Revoked	0	0
Suspended	0	0
Other Disciplinary Action	0	0
Forfeited for non-payment of renewal fees and/or non-compliance with the C.E. requirements	15	17

VI. FISCAL INFORMATION

REVENUE:

Veterinarian Renewal	\$ 13,350	\$ 17,050
Veterinarian Restoration	1,175	1,825
Veterinarian Examination	4,350	3,900
TOTAL REVENUE	\$ 18,875	\$ 22,775

BOARD OF VETERINARIANS

	<u>FY 82</u>	<u>FY 83</u>
EXPENDITURES:		
PERSONAL SERVICES:		
Hourly Wages-employees	\$ 3,933	\$ 6,333
Other Compensation-board	900	875
Employee Benefits	752	1,104
TOTAL PERSONAL SERVICES	<u>\$ 5,585</u>	<u>\$ 8,312</u>
CONTRACTED SERVICES:		
Con. & Prof. Services	\$ 60	\$ 197
Legal Fees & Court Costs	2,084	357
Printing-Contracted	566	300
TOTAL CONTRACTED SERVICES	<u>\$ 2,710</u>	<u>\$ 854</u>
SUPPLIES & MATERIALS:		
Office	\$ 159	\$ 64
Photo & Reproduction	41	0
Printing-Duplicating	8	0
Books	89	0
General	3	19
Beverages	0	12
TOTAL SUPPLIES & MATERIALS	<u>\$ 300</u>	<u>\$ 95</u>
COMMUNICATIONS:		
Telephone-Long Distance Usage	\$ 41	\$ 85
Postage & Mailing	677	818
Telephone--STS Usage	98	31
TOTAL COMMUNICATIONS	<u>\$ 816</u>	<u>\$ 934</u>
TRAVEL:		
In-State Personal Car Mileage	\$ 995	\$ 1,234
In-State Commercial Trans.	13	0
In-State State Motor Pool	44	31
In-State Other	200	0
In-State Meals	592	454
In-State Lodging	659	447
Out-of-State Commercial Trans.	1,844	0
Out-of-State Other	16	0
Out-of-State Meals	31	0
Out-of-State Lodging	48	0
Out-of-State Personal Car Mileage	39	0
Out-of-State Car Rental	92	0
TOTAL TRAVEL	<u>\$ 4,573</u>	<u>\$ 2,166</u>
RENT:		
Buildings	\$ 0	\$ 206
TOTAL RENT	<u>\$ 0</u>	<u>\$ 206</u>
REPAIR & MAINTENANCE:		
Maintenance Contracts	\$ 30	\$ 56
TOTAL REPAIR & MAINTENANCE	<u>\$ 30</u>	<u>\$ 56</u>
OTHER EXPENSES:		
Tuition	\$ 0	\$ 10
TOTAL OTHER EXPENSES	<u>\$ 0</u>	<u>\$ 10</u>

BOARD OF VETERINARIANS

		FY 82	FY 83
TOTAL OPERATING EXPENSES	\$	8,429	\$ 4,321
TRANSFER ADMINISTRATIVE COSTS	\$	3,279	\$ 3,750
TOTAL ALL EXPENDITURES	\$	17,293	\$ 16,384
TOTAL APPROPRIATION	\$	19,328	\$ 21,239
UNEXPENDED APPROPRIATION	\$	2,035	\$ 4,856
CASH BALANCE, FYE	\$	26,661	\$ 31,964

VII. BOARD MEMBERSHIP DURING BIENNIUM

William A. Rogers, DVM, 5100 9 Ave. So. Gt. Falls, MT	7/31/82
Harry A. Michael, DVM, Box 126, Worden, MT	7/31/83
Duane M. Douglas, DVM, Box 703, Sidney, MT	7/31/84
R.J. Brophy, DVM, 1116 North 1st, Hamilton, MT	7/31/85
Douglas Delaney, Grass Range, MT	7/31/85
William D. McFarland, DVM, Box 360, Fort Benton, MT	7/31/86
Richard L. Smith, DVM, Box 189, Miles City, MT	7/31/87

VIII. LEGISLATIVE OR COURT ACTION AFFECTING THE BOARD

Chapter 672, L. 1983, increased the per diem compensation for board members from \$25 a day to \$50 a day.

Several other laws were passed that deal with rule making procedures, reviewal of rules, sunset provisions, required reports to the Governor and Legislature, and increasing the meal allowance while in a travel status.

IX. RECOMMENDATIONS FOR ADMINISTRATION OF PROGRAM

To review and revise the statutes and rules regulating the practice of veterinary medicine to provide better protection to the public health, safety, and welfare.

I. GOALS AND OBJECTIVES

Goals: To reduce and minimize the waste of groundwater resources within the state by reasonable regulation and licensing of water well contractors in the state and to protect the health and general welfare by providing a means for the development of the natural resource of underground water in an orderly, sanitary and reasonable manner.

Objectives: To process 20 applications annually, provide and grade examinations of 25 applicants yearly. Issue new licenses to 15 applicants each year and renew 250 licenses per year and ensure that licensees are currently bonded in accordance with section 37-43-306, MCA; to evaluate training and experience of 20 applicants yearly; to promptly review 7 complaints per year and provide field investigation of those complaints requiring such, to provide disciplinary hearings or rule hearings when required, to maintain vigilance concerning water wells being dug for the public by unlicensed and possibly unqualified persons, to provide legal interpretations of exceptions under the law, to issue permits under section 37-43-103, MCA, and enforce this section with inspections, to provide information to the public, licensees, and applicants as required, to hold four board meetings per year, to seek public participation in board deliberations as required or requested, to provide a field investigation of each licensee at least once a year, to revise the examination at least once every two years, to provide an apprenticeship program setting specific guidelines, and to adopt other forms of disciplinary action in addition to suspension or revocation.

II. SUMMARY OF BOARD ACTIVITIES

FY 82 -- three board meetings were held. Field investigation was conducted on two complaints. Statewide inspection of all drillers was started.

FY 83 -- three board meetings were held. Seven Field inspections were made on four complaints.

III. STATISTICS ILLUSTRATING BOARD ACTIVITIES CONCERNING LICENSING

	<u>FY 82</u>	<u>FY 83</u>
Applications	16	24
Examinations	16	24
New licenses granted	8	13
Licenses renewed	233	206
Total Licensees at End of FY	260	219

BOARD OF WATER WELL CONTRACTORS

FY 82FY 83IV. SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION

Two complaints were filed in FY 82. One complaint involved sand in the well. The board determined that the driller should drill deeper and owner pay for the additional drilling. One complaint involved a well drilled 9 years ago. Owner claimed well was not straight, owner using a jet pump, had dropped couplings down well. Board requested a copy of well log which has not been supplied. Complaint pending.

FY 83 had four complaints. One complaint involved an unlicensed driller. Took and passed the examination. One complaint involved a flowing well. Board notified the driller to correct problem within ten days. One complaint involved a well that had filled in. Board notified the driller to fix the well. Driller has not complied. Complaint pending. One complaint involved a well that went dry. Board tabled any action until the outcome of the lawsuit between the two parties is determined.

V. NUMBER OF LICENSES REVOKED OR SUSPENDED OR OTHER DISCIPLINARY ACTION

Revoked	0	0
Suspended	0	0
Failure to pay renewal fees	12	29

VI. FISCAL INFORMATION

REVENUE:

Applications	\$ 1,600	\$ 2,300
Renewals	5,975	11,820
Other	19	253
TOTAL REVENUE	\$ 7,594	\$14,373

EXPENDITURES:

PERSONAL SERVICES:

Salaries	\$ 3,389	\$ 3,745
Other Compensation-Board	200	125
Employee Benefits	669	703
TOTAL PERSONAL SERVICES	\$ 4,258	\$ 4,573

CONTRACTED SERVICES:

Legal Fees and Court Costs	\$ 256	\$ 0
Consult. & Prof. Services	0	1,590
Data Processing Services	0	1
Printing	150	244
TOTAL CONTRACTED SERVICES	\$ 406	\$ 1,835

STATE OF MONTANA, RECEIVED

1917

GENUINE AND RELIABLE
INFORMATION ONLY

400 copies of this public document were published for an estimated cost of \$3.35 per copy, for a total cost of \$1,340.00, which includes \$1,190.00 for printing and \$150.00 for distribution.